Commissioner for Fair Access

Laying the Foundations for Fair Access

Annual Report 2017

CONTENTS

FOREWORD

This is my first report as Commissioner for Fair Access to higher education (HE) in Scotland. It builds on the impressive reports, interim and final, of the Commission on Widening Access (CoWA) chaired by Dame Ruth Silver. Many of the themes taken up in this report had already been identified by the Commission. One of the Commission's many recommendations was the appointment of a Commissioner. My appointment, and the other measures being undertaken, are a clear demonstration of the Scottish Government's commitment, as expressed by the First Minister, to achieving truly fair access to higher education by the end of the next decade - in other words, that all applicants should have the same opportunity to access higher education regardless of their socioeconomic background. If this goal is met, as I am confident it can be, it would represent an unprecedented achievement. No other nation has set itself, let alone achieved, such an ambitious goal.

The current targets are that by 2021 - four years from now - at least 16 per cent of new entrants to full-time first degree courses at universities should come from the 20 per cent most deprived areas in Scotland (as measured by SIMD) and at least 10 per cent in each individual university; that by 2026 - nine years from now - applicants from SIMD20 areas should make up 18 per cent of new entrants to full-time first degree courses at universities; and that by 2030 - 13 years from now - 20 per cent of new entrants to HE at universities and colleges should come from SIMD20 areas. There are plans to review the 2021 10 per cent target for individual universities, with a view to setting a more demanding target.

This report, however, is only one part of a larger jigsaw. It sits alongside other work being undertaken by the Scottish Government, in particular on the Learner Journey (for 15 to 24-year-olds). It also picks up themes and issues already identified in the impressive work undertaken by the Scottish Funding Council (SFC) - and, in particular, its Access and Inclusion Committee. Fair access is now firmly established as a key element in the outcome agreements negotiated between institutions and the SFC. I am grateful to the SFC, and in particular its Interim Chief Executive Dr John Kemp, for its support of my work as Commissioner.

The report also sits alongside the equally impressive efforts of sector organisations, Universities Scotland (US) and Colleges Scotland, and of individual colleges and universities aimed at implementing the recommendations of the Commission on Widening Access and making progress towards the targets recommended by the Commission and agreed by the Scottish Government. As its response to the Commission's report, Universities Scotland established three work streams - on articulation led by Professor Susan Stewart, Director of the Open University in Scotland, on bridging programmes led by Professor Petra Wend, Principal of Queen Margaret University and on contextual admissions and adjusted offers led by Professor Sally Mapstone, Principal of the University of St Andrews. In compiling my annual report I have benefited from useful and friendly conversations with all three. My report picks up many of the themes raised in the reports of the three work streams, although as Commissioner and therefore not bound by sectoral or institutional constraints, I have been able in some instances to adopt a more radical approach.

During my first year as Commissioner I have made a number of visits to colleges and universities. On every occasion I have received a friendly welcome and been left in no doubt about their full-hearted commitment to the goal of achieving fair access.

Although I have aimed to write a comprehensive report, it is not possible to cover the many complex issues arising from the drive to achieve fair access within a single annual report. So, in addition to this report, a number of discussion papers have been published on the Commissioner's webpage over the course of the past year. The format of these documents has been to present, in as objective and accessible a manner as possible, the data and evidence on key issues accompanied by a brief commentary by myself as Commissioner.

The intention has been, as far as possible, to separate facts from opinion, so that others if they so wish can reach different conclusions. A major objective has been to stimulate debate - within institutions, sectoral organisations, national agencies, the Scottish Government and Parliament and also among the general public (in particular potential applicants, their parents and families, teachers in schools and colleges and others who advise applicants). So far three have been published - on the cycle of applications, offers and admissions; contextual admissions; and the impact of league tables on fair access. These documents have been drafted by colleagues in the Scottish Government, and I would like in particular to thank Stephanie McKendry and Ryan Scott, although responsibility for the contents, of course, rests with me.

In my work as Commissioner I have been ably supported by the team in the Scottish Government led by Lynn Graham, to whom I am particularly grateful. In addition to support, in terms of logistics, data collection and analysis, they have offered me sound professional advice. But at no time have they sought to influence the conclusions I have reached, which are reflected in the recommendations made in this report.

Professor Sir Peter Scott
Commissioner for Fair Access in Higher Education

INTRODUCTION

One of the proposals made by the Commission on Widening Access was that the Commissioner's annual report should report on progress against its recommendations. A separate mechanism has been established to oversee this detailed monitoring, the Access Delivery Group chaired by the Minister for Further Education, Higher Education and Science. I think it is appropriate that the Scottish Government, rather than the Commissioner, should monitor the delivery of the Commission's recommendations. This has allowed me to take a broader, and more open, view of progress and also to introduce new themes to the access debate in Scotland.

This report is divided into three main parts.

Chapter 1 sketches out the wider context - the heritage of Scotland's universities and the present shape of higher education; the distinctive approach to access that has flowed from this heritage, pattern of institutions and funding arrangements; the major policy milestones; and, crucially, the progress that has been made.

Chapters 2-7 focus on a number of issues, many of which are familiar. They include the funding of higher education and (for Scottish students) the absence of fees, admissions and entry standards, progression from college to university (and also the interface between schools and higher education), outreach and bridging programmes and the use of targets (and the best measures to use to identify access students).

The third part comprises a number of **recommendations**. Some are specific and concrete, and addressed to the Scottish Government, the Scottish Funding Council and colleges and universities. Other recommendations are more general but no less important - for example, the suggestions that universities should see fair access as one element in a wider 'social covenant' and that, just as new admissions policies are raising new questions about how entry standards are defined, so there needs to be a grown-up debate about how we define 'success'. The report ends with a general **conclusion** on the challenges of achieving fair access in Scotland.

Finally, there is one crucial area not covered in this report - student financial support. The Scottish Government separately established an independent review of student support. The final report of this review group had only recently been published, when this report was almost complete and before Ministers have had an opportunity to respond to its recommendations. This omission is therefore deliberate.

KEY MESSAGES

- Scotland has the highest rate of participation in higher education in the United Kingdom and one of the highest in Europe. But young people from the most privileged homes are still three times more likely to go to higher education than those from the most disadvantaged - and over three times as likely to go to university.

- The Scottish Government's target that by the end of the next decade 20 per cent of new entrants to higher education will come from the 20 per cent most deprived areas in Scotland - a truly level playing field in terms of access - is among the most ambitious in the world. But, although challenging, it is achievable.

- Progress towards meeting that target, and individual targets for colleges and universities, has been steady. But the current forward momentum may not be sufficient. Bolder steps will be required - by the Scottish Government, the Scottish Funding Council and (most) institutions.

- All institutions must make a contribution to meeting the 2030 target. It is crucial that the ancient universities, which currently have the most privileged student intakes, play a full part - and a leadership role. But it is equally important that the key role played by colleges, which enroll a much higher proportion of students from more deprived backgrounds, is respected and reinforced.

- Free higher education for Scottish students provides the foundation on which fair access can be built. But it is a necessary rather than sufficient condition. Other decisive action is needed - in terms of admissions, progression by college students to universities, academic support and financial aid.

- Making lower offers to applicants from deprived backgrounds is not 'dumbing down' entry standards. Not all applicants have the same advantages, in terms of family support or school experience. Making the same offer to everyone is not only unfair; it fails to identify students with the greatest potential. Universities need to make much bolder use of contextual admissions.

- Admitting more students from deprived backgrounds is only the first stage. They must receive the support - academic, financial and pastoral - they need to succeed. But, just as the use of contextual admissions opens up a debate about how entry 'standards' should be defined, there needs to be an equivalent debate about how 'success' is defined.

- Scotland has a unique opportunity to produce a joined-up tertiary education system, across higher and further education and workplace learning. This would reduce barriers to progression, benefitting all learners but especially those from more deprived backgrounds, and increase the efficiency and capacity of the system.

- College students with Higher Nationals (HNs) who transfer to universities should receive full credit as a matter of routine. Anything less needs rigorous justification. Smarter articulation promotes fair access by freeing up more college-university pathways but also by creating more capacity generally.

- There is also scope for improving the transition between school and university - a better fit between S6 and Year 1, more co-delivery of the curriculum, and greater opportunities for S6 learners with Advanced Highers to go straight into Year 2. This would produce the same benefits as smarter articulation between HNs and degrees.

- Unfair access is rooted in socioeconomic deprivation, typically located in particular communities and perpetuated across generations. There are other forms of disadvantage - age, disability, immigrant status and so on - which also need to be urgently addressed. But none is as intractable and as deeply entrenched as socioeconomic deprivation, which must remain the main focus of fair access.

- The Scottish Government should review the number of funded places it provides for Scottish students. It should guarantee that any savings produced by demographic change, Brexit or smarter articulation between HNs and degrees (and schools and universities) will be retained within the higher education budget. This would also help to address fears that some students are being 'displaced' by more deprived applicants.

- The Scottish Funding Council should make fuller use of its powers to promote fair access, and ensure that outcome agreements become effective instruments not just for monitoring but also rewarding performance in line with the Government's desire to see their use 'intensified'.

CHAPTER 1: SETTING THE SCENE

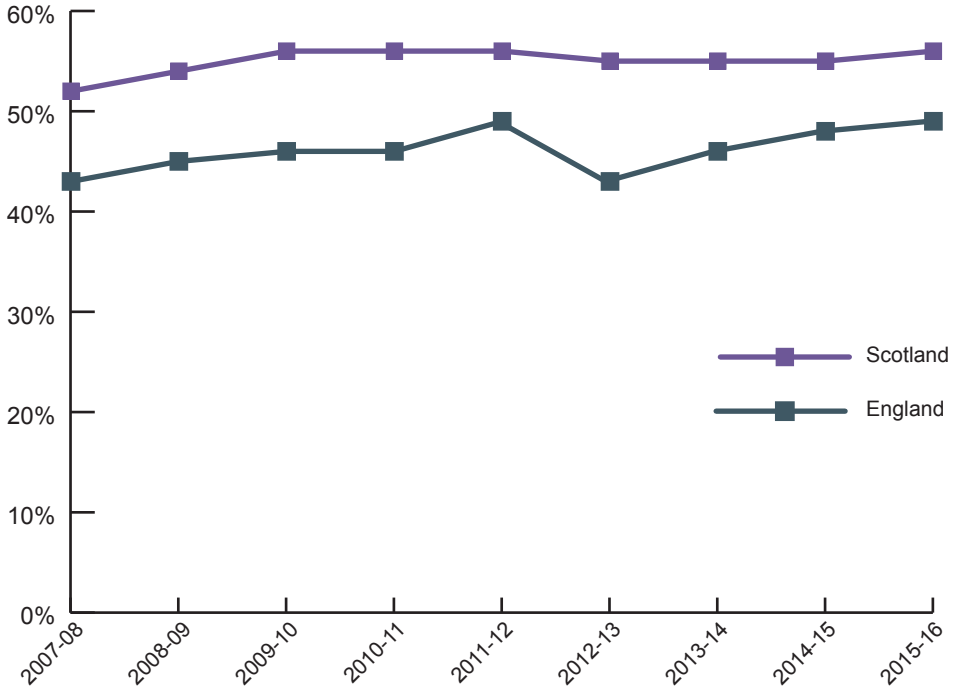
Higher Education in Scotland

The Treaty of Union that created the United Kingdom in 1707 left untouched the church, law and education. The universities, still confined to the four ancient universities until the 20th century, played an important role in maintaining and developing Scottish identity. Their contribution to the European Enlightenment was far greater than that of England's only two universities, Oxford and Cambridge. In the 19th century they embodied the idea of the 'democratic intellect' through an emphasis on philosophy-based general education. The parallel idea that university education was open to the 'lad o'pairts', part-truth and part-myth, was part of Scottish universities' DNA. Today's commitment to fair access is rooted in this distinctive history.

Today, Scottish higher education remains distinctive in other ways that are relevant to fair access:

- Participation in higher education is higher in Scotland than in England, by over 6 percentage points. The 2015/16 higher education initial participation rate (HEIPR) in Scotland was 56 per cent (Scottish Funding Council, 2017), while in England it was 49 per cent (Department for Education, 2017). This means that there are young people in Scotland who access higher education who would not enjoy such access in England (Chart 1).

Chart 1: Higher Education Initial Participation Rate, Scotland and England, 2007/08 to 2015/16
Source: Scottish Funding Council and Department for Education



- Almost 30 per cent of higher education entrants are enrolled in colleges in Scotland, compared with under 10 per cent in England. Two-year vocational qualifications, Higher National Certificates and Diplomas, are more common than south of the Border. Conversely a lower proportion of students is enrolled in 'post-1992' universities, mainly because Scotland did not create polytechnics in the 1970s.

- Scotland's approach to the funding and planning of higher education is now the exception in the United Kingdom (although it was the rule throughout the UK until 1999). Scottish domiciled

students pay no fees. In contrast in England students are charged fees of £9,250 a year.

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- Scottish higher education is also a managed system. The Scottish Funding Council, through outcome agreements negotiated with institutions shapes their strategic direction. The Scottish Government offers high-level guidance about national priorities (including fair access). There is little dissent from the principle that Scottish higher education should be an essentially 'public' system. In contrast, the Higher Education Funding Council for England is about to be replaced by the Office for Students, a body with a regulatory rather than planning (or 'steering') remit.

A distinctive approach to fair access

Fair access is accepted as a desirable goal across all the nations of the UK, and the wider world (Atherton et al., 2016). The current imbalances in access among students from different socioeconomic backgrounds, again common across the UK, are widely recognised as unacceptable in terms of social justice (and constitute a dangerous 'democratic deficit') and also of economic efficiency. A recent strategy document from the Sutton Trust neatly brought these two strands together by stating that, if social mobility in the UK was similar to social mobility in western Europe as a whole, the UK's Gross Domestic Product would be 2.1 per cent higher (Sutton Trust 2017).

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Despite these shared UK-wide concerns, historical differences - now reinforced by differences in funding and planning - have led to distinctive approaches to fair access. In Scotland widening participation and fair access are firmly rooted in, and an extension of, the principle that higher education - like school and further education - should be free for students, with its cost largely being met by public expenditure. In England fair access policies, to a substantial extent, are designed as compensatory actions to mitigate the potentially adverse effects of high fees. In order to charge the maximum fee allowed, English institutions are required to have access agreements with the Office for Fair Access (now to be incorporated into the Office for Students). Typically these agreements cover outreach programmes, adjusted entry tariffs and other measures to make it easier for applicants from less advantaged backgrounds to be admitted to higher education.

Fair access, therefore, sits on an entirely different philosophical basis in Scotland than in England. Despite the arguments that have been made about the relative effectiveness of detailed access policies in the two countries (which will be discussed later in this report), it is essential to recognise this fundamental difference. As Commissioner for Fair Access I have no doubt that, regardless of the difficulties that have been and will be encountered in meeting the target that by 2030 20 per cent of entrants to HE should come from the 20 per cent most deprived areas in Scotland (in other words, a truly 'level playing field'), Scotland, where the principle of free higher education has been preserved, starts from a much better place than England.

Policy milestones

Fair access has been a preoccupation of the Scottish Government since the re-establishment of the Scottish Parliament and of a devolved administration in 1997. However the focus on fair access has intensified since the mid-2000s. The Scottish Government has produced two major policy papers:

Putting Learners at the Centre: Delivering Our Ambitions for Post-16 Education (September 2011).

This pre-legislative paper established fair access as a major priority and opened the door to widening access agreements between the Scottish Funding Council and institutions. It also foreshadowed the Post-16 Education (Scotland) Act which places a statutory duty on both the council and institutions to promote wider access.

First Minister - Programme for Government (November 2014). This paper renewed the emphasis on fair access to higher education as a key element in the Scottish Government's priority for education. The First Minister Nicola Sturgeon also announced the ambition that 20 per cent of new entrants to higher education in 2030 should come from the 20 per cent most deprived areas in Scotland. The paper also foreshadowed the establishment of the Commission on Widening Access. The Commission's final report A Blueprint for Fairness was published in March 2016.

The Scottish Government has also recognised that financial support for students is a key element in promoting fair access, particularly for students from more deprived backgrounds (as the National Assembly Government in Wales also recognised when it accepted the recommendations of the Diamond review). For that reason it established an independent Further and Higher Education Student Support Review, chaired by Jayne-Anne Gadhia, which reported in November 2017. At the time this report was written the Scottish Government had not published its response to the recommendations.

The Scottish Funding Council has also been active in the promotion of fair access:

For 10 years from 2005/06 until 2015/16 it published an annual progress report Learning for All; Measures of Success. This has now been replaced by the more targeted SFC Report on Widening Access (September 2017), which reports specifically on progress towards meeting the targets set by the Commission for Widening Access and endorsed by the Scottish Government.

"The overall impression is of a busy and creative policy environment that has led to a number of important initiatives, legislative and funding, and of fertile plans to promote fair access in institutions, which demonstrates strong commitment."

The Council also introduced two new funding initiatives:

- Funding for regional articulation hubs for five years from 2008-09 to 2012-13, which was subsequently extended for an additional three years.
- Additional funded places (727 for entrants from SIMD20/40 areas, and 1,020 for articulation). These places were available for four years, and have now been embedded in core numbers.

There are also several regional initiatives, designed to promote fair access. These include the Schools for Higher Education Programme (SHEP), which was formed from Widening Access Regional Forums; the Scottish Wider Access Programme (SWAP); and the Access to High Demand Professions Programme. Finally nearly every institution has also been active in developing their own fair access policies, focusing in particular on developing more systematic (and transparent?) processes with regard to contextual admissions by making adjusted offers available to applicants with specific characteristics (including, but not confined to, living in SIMD20 areas). These institutional efforts are equivalent to, and perhaps more intensive than, the measures taken by English institutions under the terms of their access agreements with the Office for Fair Access.

The overall impression is of a busy and creative policy environment that has led to a number of important initiatives, legislative and funding, and of fertile plans to promote fair access in institutions,

which demonstrates strong commitment. At no time has there been evidence of complacency. There is a clear recognition at all levels - Parliament, Government, Funding Council, sectoral bodies and the institutions themselves - that, while the provision of tuition-free higher education to Scottish domiciled students may be a necessary condition for securing fair access, it is not a sufficient condition, and that 'free' higher education is the bedrock on which more active measures need to be built.

Progress to date

'Big picture'

Efforts to make access to higher education fairer must be seen in a wider social and economic context. Since the 1980s disparities of income, and wealth, have increased in the UK as they have in the United States (to a greater extent) and the rest of western Europe (to a lesser extent). There is no data to suggest that within the UK, Scotland has been an exception. This increasing inequality has been highlighted by the work of the French economist Thomas Picketty (2014). Increasing disparities in wealth and income have inevitably had an impact on life-chances and outcomes, including employment, health, housing and education. Almost as an antidote to this trend towards greater inequality a number of initiatives have been developed focused on social mobility, including the work of the Social Mobility Commission.

"The impact of these 'big picture' forces suggests that efforts to secure fair access need to be intensified; the more moderate policies that might once have served may no longer be adequate."

In addition there have been a number of trends within higher education itself, which may also have made fair access more difficult to achieve. These include the focus on producing and sustaining 'world-class' research universities and the growth of league tables and rankings. Neither is inherently hostile to fair access. But there are clearly risks that, unless these agendas are implemented with care, they may reinforce existing institutional habits and behaviours - and so, unintentionally, entrench existing patterns of discrimination.

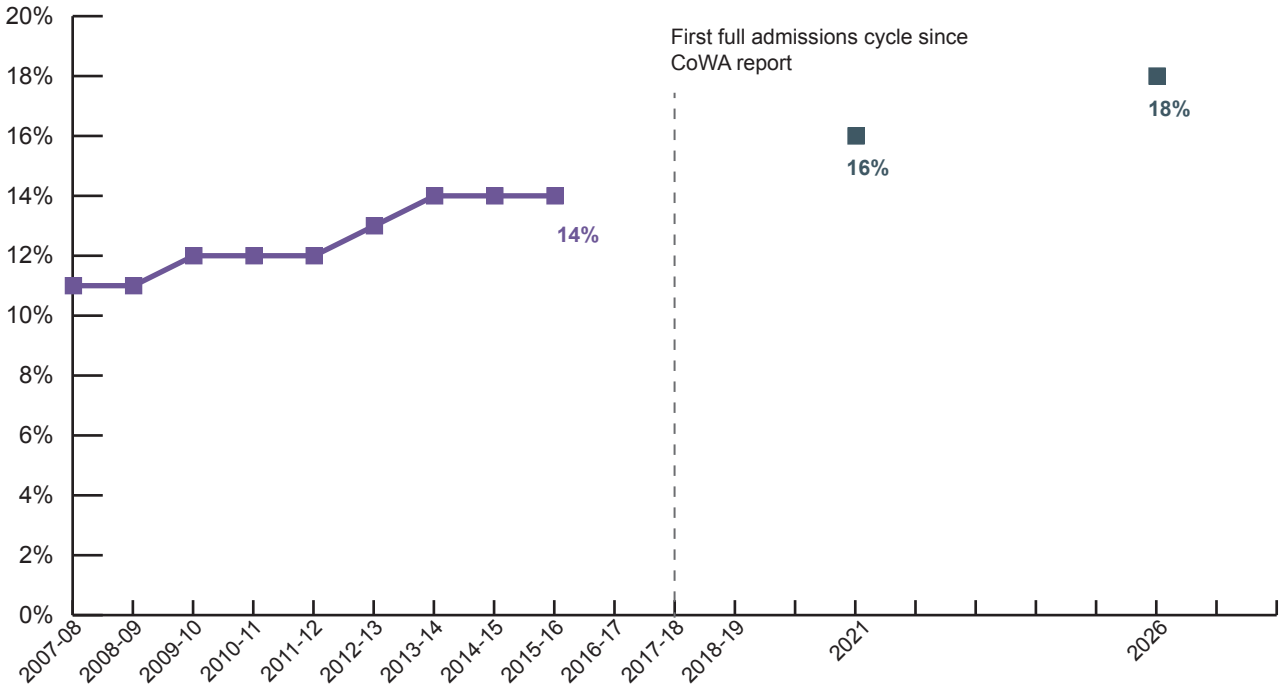
In measuring progress towards meeting the Scottish Government's targets the impact of these 'big picture', and potentially countervailing, forces needs to be taken into account. Although their impact is difficult to measure, it is likely to be substantial. However, this cannot be used to justify resignation or complacency. Instead it demonstrates the challenges that are faced by the Scottish Government as it juggles with multiple objectives (research excellence, higher levels of school attainment, improved efficiency, greater flexibility of learner pathways as well as fair access to higher education) and by colleges and universities that find themselves in a similar position. The impact of these 'big picture' forces suggests that efforts to secure fair access need to be intensified; the more moderate policies that might once have served may no longer be adequate.

The current position

The most recently published data from the Scottish Funding Council shows that in 2015\16 14 per cent of full-time first-degree university entrants came from SIMD20 areas (Chart 2) and 0.8 per cent had a care experience background (Scottish Funding Council 2017). In the same year, 23 per cent of higher education entrants to colleges came from SIMD20 areas. Six years before, the proportions had been 12 per cent of entrants to full-time first-degree university courses and just under 20 per cent of higher education entrants to colleges (CoWA, 2015). In other words significant but not spectacular progress has been made.

Chart 2: Percentage of full-time first degree university entrants from 20% most deprived areas (SIMD20), 2007/08 to 2015/16

Source: Scottish Funding Council and Commission on Widening Access



However, three important qualifications are needed:

"SIMD20 students are more likely to enter full-time higher education courses in colleges, mainly Higher Nationals, than full-time degree courses in universities."

- First, as the SFC data shows, SIMD20 students are more likely to enter full-time higher education courses in colleges, mainly Higher Nationals, than full-time degree courses in universities. In the case of students from the least deprived SIMD quintile this is reversed: they are twice as likely to be on full-time degree courses at universities as on full-time higher education courses in colleges. The socioeconomic profile of university (and degree) and college (and HN) students is cause for concern, although any assumption that a college education (or a vocational course) is inferior to university education must be resisted and the choices of learners must be respected.

- Second, there are significant variations between institutions. At West College Scotland 37 per cent of higher education students come from SIMD20 areas, compared with only 8.1 per cent at Borders College (Chart 3). Among universities percentages range from St Andrews' 4.5 per cent of full-time first degree entrants to the University of the West of Scotland's 25.4 per cent (Chart 4). Of greater concern is the fact that in 12 universities, mostly pre-1992 institutions, the proportion of SIMD20 entrants to full-time degree courses actually fell between 2014/15 and 2015\16. It would be wrong to draw over-categorical conclusions from this apparent back-sliding, because for many of the ancient universities the actual numbers are small so year-on-year percentage fluctuations are therefore inevitable and also because more up-to-date (but partial) figures from UCAS paint a more encouraging picture. According to the UCAS interim report on 2017 entry, overall admissions are up by 2 per cent in Scotland (and down by the same percentage in England) with the number of acceptances from SIMD20 areas up by over 10 per cent compared to the same stage in the 2016 cycle (UCAS, 2017). However, the fact that in 2015/16 four universities were still more than two per cent below the 2021 10 per cent target for individual institutions suggests that substantially greater efforts will have to be made if this target is to be met.

Chart 3: Percentage of HE entrants from 20% most deprived areas (SIMD20), by college, 2015/16

Source: Scottish Funding Council

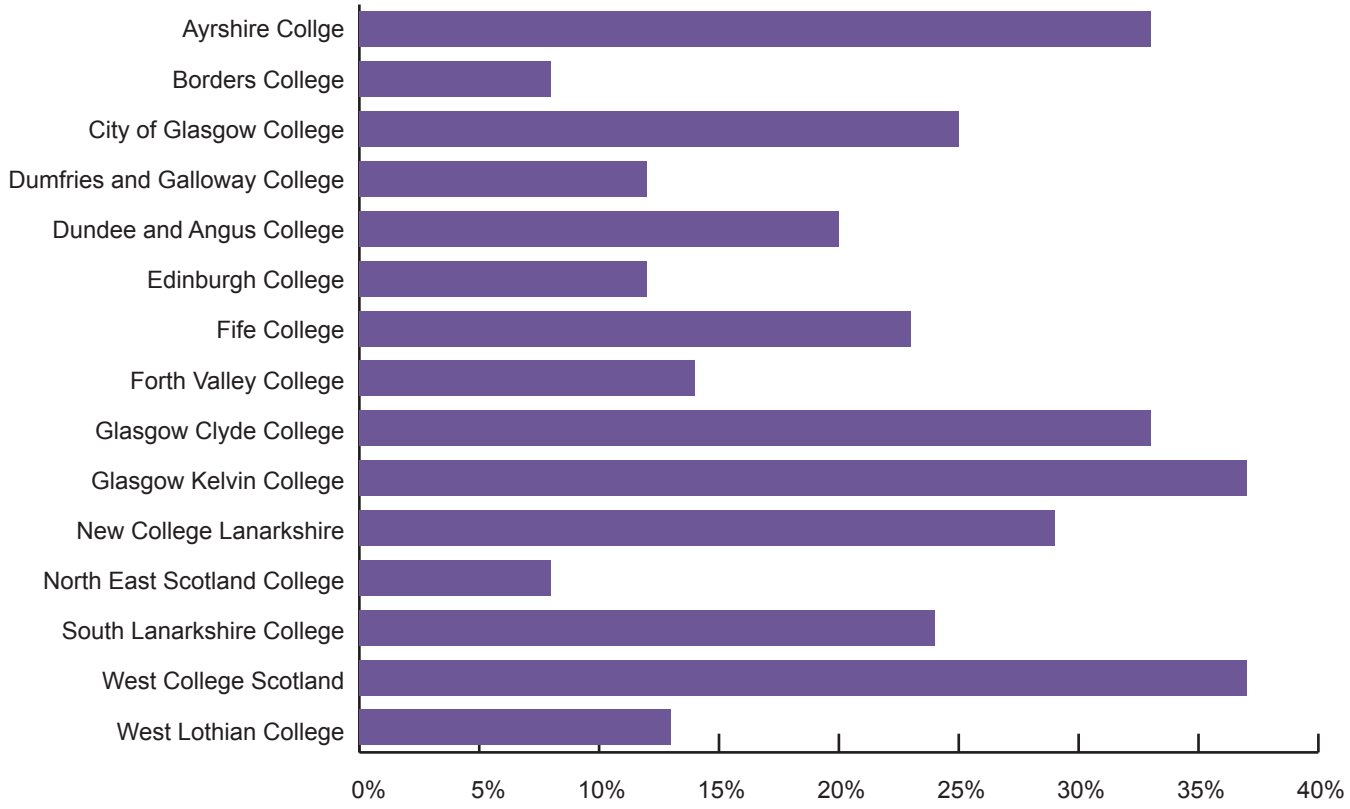
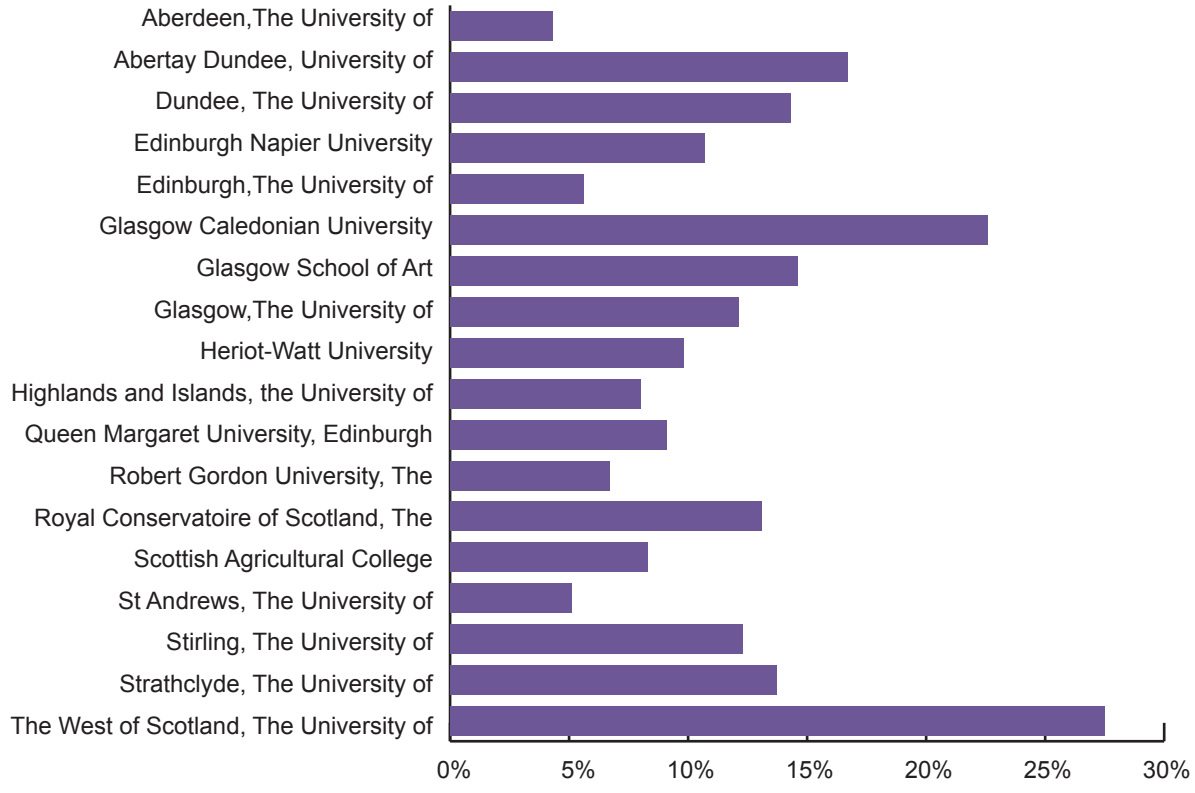


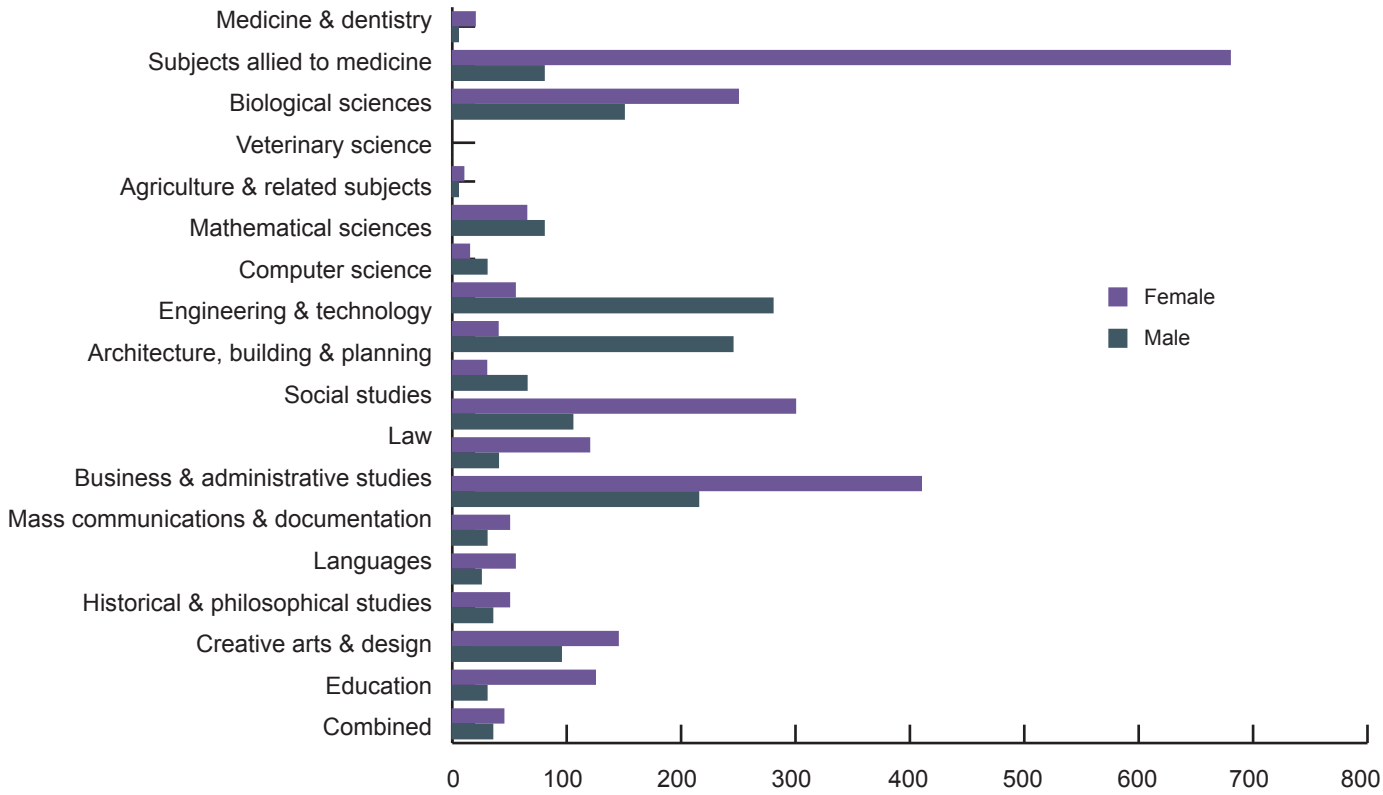
Chart 4: Percentage of full-time first degree entrants from 20% most deprived areas (SIMD20), by Higher Education Institution, 2015/16

Source: Scottish Funding Council



- Third, for both first-degree and higher education courses in colleges, participation by females is markedly higher across all SIMD quintiles and representation is slightly fairer across quintiles. The percentage of entrants from SIMD20 is almost two percentage points higher for females on degree courses (15.6 as opposed to 13.7 per cent) and almost four percentage points higher for female college students on higher education courses (29.9 as opposed to 25.1 per cent). This reflects the fact that most of the subject areas where SIMD20 entrants (both male and female) are well represented are also subjects with high percentages of female entrants, including Subjects Allied to Medicine, Biological Sciences, Social Sciences and Business (Chart 5). This may suggest that these subjects have generally been more accessible, or indicate that patterns of social class and gender discrimination are related in complex ways.

Chart 5: Number of full-time first degree university entrants from 20% most deprived areas (SIMD20), by subject and gender, 2015/16
Source: Secondary analysis of Higher Education Statistics Agency (HESA) data



Measuring progress

There has been a lively debate about Scotland's progress towards fair access, which I welcome. Even when views expressed are contrary to my own, or critical of the Scottish Government's higher education funding and fair access policies, the debate makes a positive contribution to a better understanding of the challenges of achieving fairer access.

The debate has been informed by a range of data and evidence sources. These sources include the SFC data which has just been discussed, which is the most complete, but also UCAS statistics and comparative (in particular, Anglo-Scottish) data about the rate at which the under-representation of students from socioeconomically deprived backgrounds has been decreasing. Both the latter data sources have weaknesses. Not all higher education students apply through UCAS, and this is more an issue in Scotland than in England. As a result cross-

border comparisons of first-degree university students are (largely but not entirely) consistent but many HN and other non-degree students in colleges are not covered. In England disadvantaged students are defined in terms of residence in POLAR low participation areas, while in Scotland SIMD is the relevant metric. Coverage of other UK-wide measures of deprivation, such as eligibility for school meals or having non-graduate parents, may also be inconsistent and incomplete, although some institutions use these measures in making adjusted offers. On some important issues, such as the extent to which the drive to recruit more SIMD20 students has displaced other students, the available data is suggestive rather than conclusive.

There have been claims that faster progress has been made towards fair access in England than in Scotland. However, these often fail to recognise that Scotland is starting from a different base-line because the overall HE participation rate is significantly higher. Another source of confusion is that comparisons are generally confined to universities, something which automatically favours England and Wales simply because more of their higher education students are enrolled in universities. In England a higher proportion of students are enrolled in ‘post-1992’ universities with a stronger commitment to widening participation than ‘pre-1992’ universities - but that is counterbalanced by the larger proportion of higher education students in colleges in Scotland. Like is not being compared with like. If proper account could be taken of both these differences - the more substantial role of Scottish colleges in providing higher education, and the different student shares between ‘pre-1992’ and ‘post-1992’ universities in Scotland and England - any differences in progress towards fair access would likely disappear (and, arguably, would be reversed).

CHAPTER 2: FUNDING HIGHER EDUCATION

There is very substantial political (and public) support for the current Scottish approach to funding higher education as part of general public expenditure rather than charging students fees. More generally there is limited enthusiasm in Scotland for creating a 'market' in higher education, although Scottish institutions participate (very successfully) in the wider global markets for international students and staff.

However, within this broad consensus there has been a lively debate about the best way forward.

Displacement

A particular concern is that, by providing 'free' higher education, the overall number of funded places for Scottish (and non-UK European Union) students is capped. Institutions are free to recruit as many students as they like from the rest of the UK and from outside the European Union. Audit Scotland (2016) has pointed out that, within a fixed total, comparative gains in participation by some groups of students must be balanced by comparative losses by other groups. This has given rise to fears of so-called 'displacement', in effect that applicants of middling attainment and from middling backgrounds will get squeezed by high-achieving applicants from socioeconomically privileged backgrounds and by SIMD20 applicants. The evidence that this is actually happening on a significant scale is patchy at this stage. But it naturally remains a matter of concern. Clearly an increase in the number of funded places would reduce any squeeze and help to dispel these fears. This issue will be addressed in the recommendations made at the end of this report.

Targeting support

A second concern is that the Scottish Government's policy of fee-free higher education for Scottish students is a wasteful use of scarce public resources because it benefits better-off students and their families as well as those from deprived backgrounds, limiting the scope for any additional funding targeted at the latter. For example, a 2016 report from the University of Edinburgh's Centre for Research in Inclusion and Diversity, commissioned by the Sutton Trust, cautioned against concluding that 'free' higher education was the main instrument for achieving fair access, and highlights some of its downsides (Hunter Blackburn et al., 2016)

One conclusion that has been drawn is that a more effective way to deploy resources would be to spend more on student financial support, and the funding priorities recently established by the National Assembly Government in Wales are cited in support. From my own observations, and meetings with students, it is clear that financial support is a major concern. The Scottish Government has recognised this and established an independent Further and Higher Education Student Support Review, which has just published its final report (Scottish Government, 2017). The review recommends that students in further and higher education should be treated in the same way, with national provision replacing institutional support, although the Scottish Government has yet to announce its final decisions.

Another more controversial conclusion that has been drawn is that a fees-based funding system as (currently) prevails in England would be more friendly to fair access, because it would generate extra funding and also because there would need to be no cap on the number of students that can be recruited. Under this system, as has already been indicated, institutions are required to make access agreements, and provide targeted support for students from deprived backgrounds.

This support is funded out of the additional income generated by charging students fees and, therefore, can be represented as a cross-subsidy from well-off to more deprived students. However, the extent to which the current high-fee funding regime in England is genuinely more access-friendly remains a matter of controversy, both academic and political. Two recent contributions, published less than a month apart, have produced starkly opposite conclusions (Leach, 2017; Wyness et al., 2017)

There are two compelling counter arguments, one practical and the other principled:

"free higher education is not only a fundamental political principle but also a powerful cultural signal, which has strong resonance with the particular history of Scottish universities and also with the civic culture of Scotland and its commitment to social justice."

- The practical objection is that, because all English institutions have decided to charge the maximum fee allowed, they received greater funding than was intended or envisaged by the UK (English) Government. It is doubtful whether this additional funding can be maintained into the future. Almost three-quarters of English students are now projected not to pay back in full the loans they received to pay their fees because they will not meet the income threshold that triggers repayment, representing 50 per cent of the total. As a result the English system represents a potentially wasteful and certainly inefficient allocation of public resources. Loans to English students to pay their fees is as indiscriminate a subsidy as funding higher education out of general taxation.

- The principled argument is that higher education is a public good from which the whole community benefits as well as conferring individual benefits on graduates, in a similar way to school-level and further education (or other universally provided public services, from defence to the National Health Service). In other ways free higher education is not only a fundamental political principle but also a powerful cultural signal, which has strong resonance with the particular history of Scottish universities and also with the civic culture of Scotland and its commitment to social justice. The Scottish Government has chosen to embody that principle in its approach to the funding of colleges and universities, a decision that is very unlikely to be overturned and with which I have absolute sympathy.

CHAPTER 3: STIMULATING DEMAND

A major challenge is generating more applications from SIMD20 students. The evidence suggests that those who do apply generally receive a fair wind and, overall, are just as likely to receive offers (Chart 6) but slightly less likely to be placed at an institution (Chart 7) (Commissioner for Fair Access 2017). Although this does not indicate that universities are actively discriminating against SIMD20 students, it does suggest there may be unconscious patterns of bias - in contrast, SIMD20 students are overrepresented in colleges).

The major deficit, however, continues to be the initial shortfall in applications (Chart 8). Clearly this needs to be forcefully addressed. Otherwise there is likely to be growing competition between universities to recruit from a limited pool of SIMD20 to meet targets, possibly with negative effects if students are diverted from post-1992 universities with a strong commitment to, and long experience of dealing with, students from more deprived backgrounds to universities that may lack their experience (or even commitment).

"A major challenge is generating more applications from SIMD20 students."

Chart 6: Offer rate by deprivation quintile (SIMDQ1 = SIMD20), 2011 to 2016
Source: UCAS

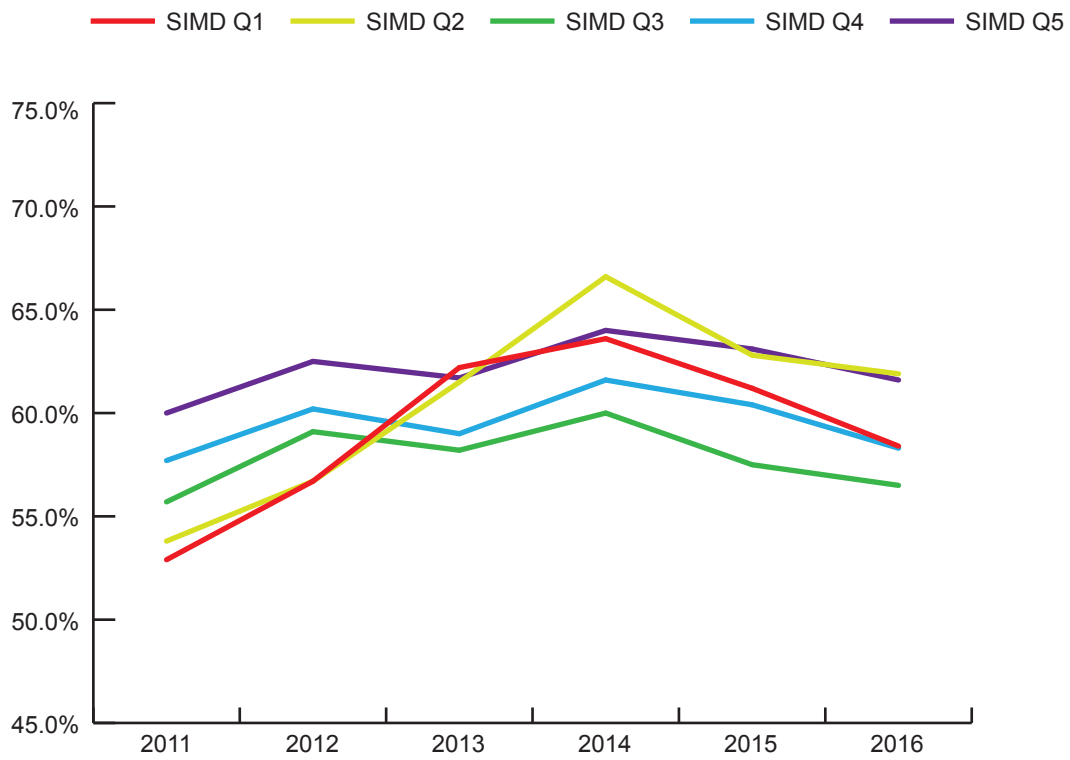


Chart 7: Acceptance rate by deprivation quintile (SIMDQ1 = SIMD20), 2011 to 2016
Source: UCAS

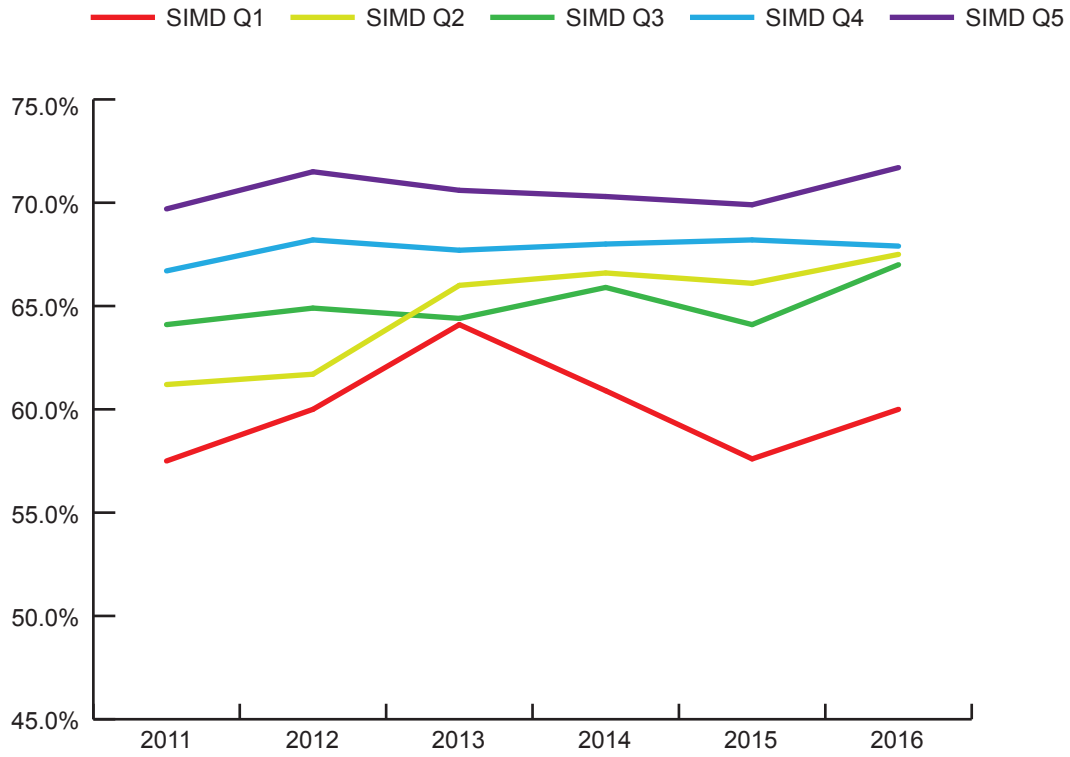
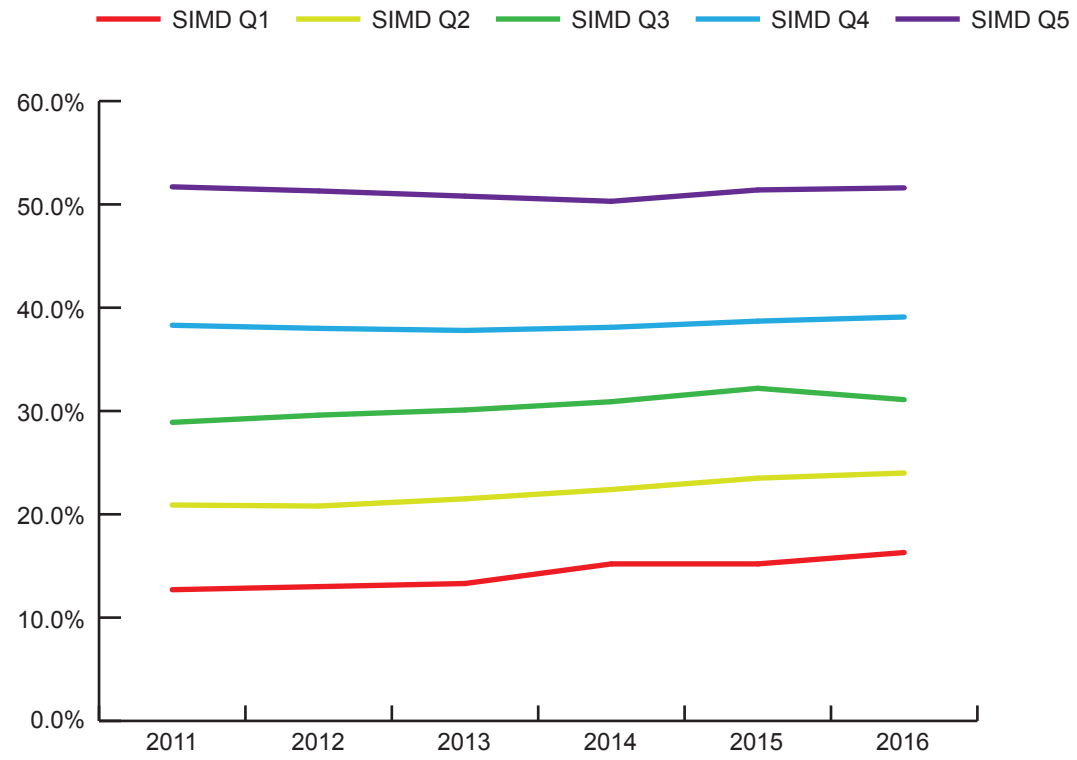


Chart 8: Application rate by deprivation quintile (SIMDQ1 = SIMD20), 2011 to 2016
Source: UCAS



Outreach and bridging programmes

One of the most powerful instruments for increasing the proportion of SIMD20 applicants has been the use of bridging programmes of various types. Most, as the label 'bridging' suggests, are summer schools. Often a condition attached to an adjusted, i.e. lower, offer is attendance at a summer school. Typically the detailed curriculum of these schools focuses on study and research skills, academic writing and subject-specific gaps in academic knowledge (notably mathematics), although most also attempt to provide a more general introduction to student life. There are many examples of good practice. In addition to summer schools some universities seek to make earlier interventions, from the middle years of secondary school back even as far as the last years of primary school. Again there are many examples of good practice.

Bridging programmes were one of the three topics covered in the recent Universities Scotland report on widening access (Universities Scotland, 2017). The other two were articulation and admissions (which are discussed below). The report is based on three work streams identified for action by US in its response to the report of the Commission on Widening Access. The work stream on bridging programmes identified four actions:

"imaginative ways need to be found to increase the volume of students on bridging programmes without destroying the necessary intimacy."

1. The need for improved 'national coherence', including improved regional coordination and, where possible, mutual recognition;

2. The scoping of an online resource that will enable applicants, parents and schools to access all the relevant information about bridging programmes in Scotland in one place;

3. The adoption of a common language and terminology to describe bridging programmes - again to make what is on offer more accessible to applicants, parents and schools;

4. Consideration of the potential for introducing regional access targets to encourage collaboration, alongside institutional and national targets.

Welcome as these actions are, they may not be sufficient to produce the step-change that is needed.

- First, the scale of bridging programmes needs to be increased. For understandable reasons many are relatively small-scale; applicants less familiar with universities clearly benefit from a personalised approach within small groups. However, imaginative ways need to be found to increase the volume of students on bridging programmes without destroying the necessary intimacy.

- Secondly, and for similar reasons, most bridging programmes offer customised provision, focused on the detailed needs of potential applicants from the deprived communities targeted by individual universities. However, an analysis of the content and curriculum demonstrates a broad consistency of subject matter. It should be possible to identify generic content that could be common across Scotland while allowing institutions the scope to include more specific material. A version of this core-customised provision model is the approach recommended by the US work stream on admissions with regard to indicators to be taken into account in making adjusted offers (see below). It would make it easier to move towards the mutual recognition of bridging programmes across Scotland. Although the majority of SIMD20 applicants will attend their local university, barriers to the portability of credit earned from attending bridging programmes should be reduced to the minimum.

- Thirdly, it is important to take a holistic view of all the initiatives and interventions made by universities (and by foundations such as the Robertson and Sutton Trusts) to increase the supply of SIMD20 applicants. Bridging programmes come late in the cycle of potential interventions. Although they are successful in transforming opportunities for already motivated SIMD20 applicants with reasonable levels of attainment, they are less likely to be successful in shifting more deeply-entrenched attitudes towards who should benefit from higher education (among applicants themselves, their parents and, possibly, their teachers). Earlier interventions, ideally involving parents and families, may be more effective in this more difficult task. So it is important that bridging programmes are regarded as only one element within a wider array of interventions. In this respect the Commission on Widening Access made a number of relevant recommendations about engagement with younger learners and their families.

- Finally, there is a danger that the idea of introducing regional targets floated in the report could dilute overall responsibility for meeting institutional and national targets, although it makes sense to organise some outreach activities, including summer schools, on a regional basis. The necessary task of monitoring the effectiveness of these activities should not be confused with the responsibility of institutions for meeting fair access targets.

"it is important that bridging programmes are regarded as only one element within a wider array of interventions."

In brief, there is a need to 'scale up', by increasing the volume of applicants who can benefit from bridging programmes, and 'join up', in two senses - the mutual recognition, and the portability, of credit earned by attending bridging programmes identified in the US report; but also regarding bridging programmes as one element within a package of multiple interventions. In this respect the development of a Framework for Fair Access, a web-based resource to categorise and help evaluate the effectiveness of these interventions, will be a significant step forward. This development is currently being overseen by a representative group chaired by Conor Ryan, Director of Research and Communications at the Sutton Trust, which is expected to report in the spring. The aim is to produce an instrument in which best practice can be identified, and shared, without inhibiting the development of imaginative new models.

A new social covenant?

"Higher education, and in particular the most highly regarded universities, has a key leadership role."

The wider context also needs to be taken into account. Even if bridging programmes are scaled-up and joined-up, the overall pattern of (un)fair access will remain. But it is not acceptable to wait for a social revolution that will miraculously reduce inequalities of wealth and disparities in life-chances to 'self-generate' more applications from SIMD20 areas (as has already been indicated, recent trends have been to greater inequality). A major responsibility lies with schools, and it is among the most urgent priorities of the Scottish Government to address the attainment gap. But, once again, there can be no instant or magical solution. Attainment gaps are rooted in aspiration gaps, which in turn reflect, all-too-accurately, perceptions of life-chance disparities. For learners from more prosperous homes aspiration is easy; for learners from more deprived backgrounds it is more difficult to generate. Also care needs to be taken that attainment is not simply measured in terms of too narrowly conceived benchmarks; the optimal learner pathway, in terms of stages and formal achievements, is still determined by reference to traditional middle-class patterns.

Higher education, and in particular the most highly regarded universities, has a key leadership role. That leadership must be exercised in several different ways. It is not confined to developing more access-friendly admissions policies (which will be discussed later in this report). Interventions at this, comparatively late, stage will only be successful in attracting the already motivated among teenagers from deprived areas, who are also likely to have overcome significant obstacles (and may have achieved qualifications at, or close, to those required for university entrance). Access-friendly admissions policies send important cultural messages that will have longer-term effects however. In the same vein summer schools and other forms of bridging programmes, however necessary, will also tend to target a motivated minority of potential applicants from deprived areas. Most institutions now recognise the need for earlier interventions, crucially in the earlier years of secondary education when key subject choices are made and even in the final years of primary school. There can also be powerful synergies between adult learning and fair access for young people, opening up the possibilities of multiple initiatives focused on families and whole communities. Empowered parents will have much higher expectations of their communities.

"A new 'social covenant' may be needed between higher education and the nation, and their communities that seeks to 'join up' the multiple interactions between institutions and their stakeholders."

A new 'social covenant' may be needed between higher education and the nation, and their communities that seeks to 'join up' the multiple interactions between institutions and their stakeholders. Such a covenant should cover the widest possible range of interventions and interactions. The education of school teachers eager to meet the challenges posed by disparities in aspirations and therefore attainment (in Scotland teacher training remains a university monopoly - for the moment); the provision of adult and lifelong learning to address past deficits and discrimination; research with real social impact (and often active community engagement) as well as research producing economic benefits - all these complement and strengthen fair access policies. The articulation of such a new 'social covenant', and the adoption of a holistic approach, could help to generate more applications from SIMD20 areas by shifting deep-rooted, and not entirely unjustified, perceptions of universities. This would not need to be yet another bureaucratic instrument to be signed off, approved against formal criteria and then monitored. Rather a new social covenant could be a summation of an institution's engagement with its communities, and with the wider nation.

CHAPTER 4: THE ROLE OF COLLEGES

Colleges play a major, even decisive, role in the delivery of higher education in Scotland (Colleges Scotland, 2016). It is largely because of the colleges' contribution that Scotland has the highest initial participation rate in the UK. It is also largely because of the colleges that significant progress has been made to increasing the participation of SIMD20 students in higher education. Although degree entrants and college HE entrants have increased by a similar number over recent years, a recent Sutton Trust commissioned research report calculated that 90 per cent of the improvement in initial participation could be attributed to the colleges and only 10 per cent to the universities (Hunter-Blackburn et al*.,* 2016). This creates both opportunities and challenges.

The main opportunities are:

- Local, accessible higher education is available, which is particularly important for less mobile students (and maybe for students from more deprived backgrounds who lack prior family and peer experience of higher education);

- Scotland has retained more substantial forms of non-degree vocational education than the rest of the UK in the shape of Higher Nationals (HNs). In England colleges play a similar widening access role, but on a much reduced scale (and HNs have often been replaced by pre-degree Foundation Degrees south of the Border).

- As modern and graduate apprenticeships became a more important route into and through higher education the key role of colleges will become an even more important asset.

"The access imbalance between colleges and universities is unacceptable, not least because graduation from an ancient university confers superior advantages in terms of employment opportunities and future earnings"

The work currently being undertaken by the Scottish Government on the Learner Journey highlights the importance of multiple pathways through further and higher education and into employment. The First Minister's Adviser on poverty, Naomi Eisenstadt, in her last report highlighted the risk that too strong an emphasis on access to universities, and largely academic forms of higher education, could have the - unintended - consequence of undervaluing vocational education and college-based higher education, which plays an important role in improving life chances of and employment opportunities for young people in more deprived communities (Independent Adviser on Poverty and Inequality, 2017). It is crucial to maintain this diversity in Scottish higher education.

There are also two challenges arising from the key role played by the colleges in higher education:

1. First, as has already been pointed out in the discussion about progress towards meeting fair access targets, SIMD20 students are over-represented in colleges and some post-1992 universities and under-represented in other universities, particularly the ancients. A recent article in the *Journal of Education and Work* highlighted an important dilemma in its title: 'Higher education in the college sector: widening access or diversion? Questions and Challenges from the Scottish experience' (Gallacher, 2016). In practice both processes have been significant; colleges have certainly made a major contribution to widening access but at the same time their very success may have diverted students from more deprived backgrounds from (some) universities.

The access imbalance between colleges and universities is unacceptable, not least because graduation from an ancient university confers superior advantages in terms of employment opportunities and future earnings (as well as social capital more generally). It is for that reason that every institution, including the ancient universities, has been asked to admit 10 per cent of its students from SIMD20 areas by 2021. However, this target could have unintended, and undesirable, consequences. As well as acting as a goad to ancient universities to make faster progress towards fair(er) access, institutions that already exceed the 10 per cent target - colleges and (most) post-1992 universities - may be tempted to scale back their efforts. It may also have focused political, and public, attention on the need to allow more students from socioeconomically deprived backgrounds to access elite universities at the expense of access more broadly. Both of these consequences could have a detrimental effect on diversity.

2. The second challenge is that, although HNs continue to be attractive to students as standalone courses and valued by employers, in practice many HN students do aspire to progress to degree courses in universities. There are significant variations between subjects. The majority of students in business studies and computing aim to progress to degree programmes, while numbers are lower in social care. This means that a careful balance needs to be struck between regarding HNs as standalone qualifications and as progression pathways. The introduction of modern and graduate apprenticeships on a significant scale is likely to lead to additional complexity. The policy choices with regard to articulation will be discussed in greater detail in the next section of this report.

"The contribution of the colleges to higher education in general and fair access in particular should be safeguarded and celebrated."

More generally, it is important, especially in the context of the Learner Journey initiative, to maximise the number of pathways open to learners while improving the portability of credit; and to avoid as far as possible the perpetuation of old prejudices about the 'superiority' of academic forms of higher education while ensuring that access to the universities that offer more academic courses is no longer so strongly biased in favour of applicants from more privileged socioeconomic backgrounds. The contribution of the colleges to higher education in general and fair access in particular should be safeguarded and celebrated.

CHAPTER 5: ARTICULATION AND FLEXIBLE PATHWAYS

Articulation, a clumsy word with little currency outside education, is usually defined in narrow terms as progression between HNs and degrees and, in particular, the extent to which HN students are awarded advanced standing. However, this is only one element in what should be a much broader context of flexible learner pathways based on the transferability and portability of credit. The work currently being undertaken by the Scottish Government on the Learner Journey highlights this wider context. Articulation (or whatever more accessible and comprehensible term is preferred), therefore, is not a peripheral or technical issue. It goes to the heart of how a dynamic tertiary education system should operate, in which learner needs not narrow institutional interests are the driving force. Articulation is the second topic covered in the recent US report on widening access.

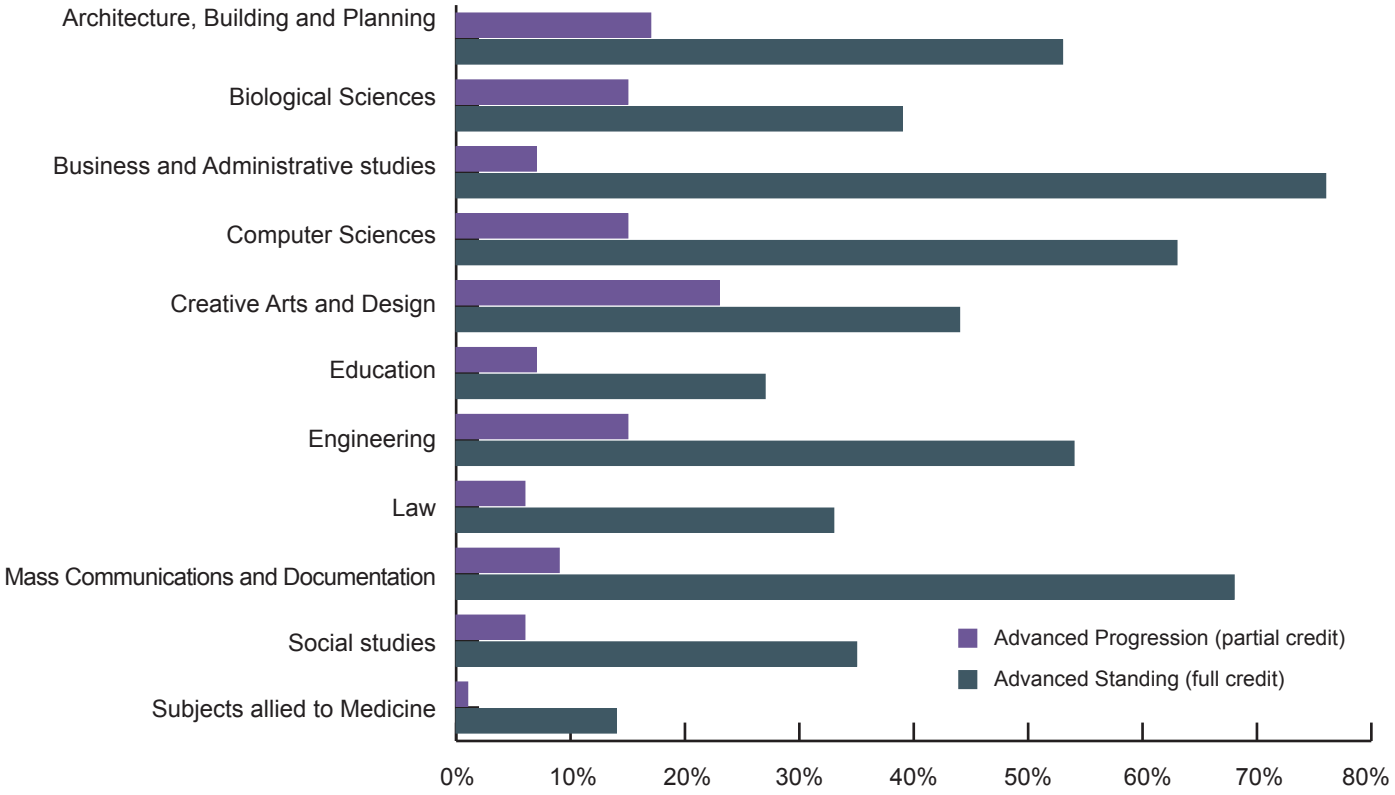
In the context of fair access this wider perspective is particularly relevant. Smoother and more complete HN-degree articulation, in and of of itself, does not directly promote fairer access (because not all HN students come from more deprived backgrounds, although the data suggest that relatively more of them do than is the case with direct-entry degree students). But a much more flexible system of learner pathways across tertiary education would make a major contribution to fairer access, which was emphasised in the previous section on the role of colleges (and is the subject of a recommendation made at the end of this report).

"Articulation therefore, is not a peripheral or technical issue. It goes to the heart of how a dynamic tertiary education system should operate, in which learner needs not narrow institutional interests are the driving force."

Higher Nationals and Degrees

HNs are long-standing and respected higher education qualifications. The starting point, therefore, should be that students who have successfully completed an HN and wish to progress onto a degree course should be admitted to the second year (following a HNC) or third year (following a HND). Currently less than half receive full credit, and 40 per cent progress to university without any credit at all. There are significant subject variations. Of the subject areas where a substantial volume of articulation currently takes place, business and management has the best record (around three quarters get full credit), and subjects allied to medicine have the worst (less than one sixth) (Chart 9).

Chart 9: Percentage of articulating students entering university with Advanced Standing and Advanced Progression, subjects where more than 250 students articulated, 2014/15
Source: Scottish Funding Council



In Scotland, only in the University of Highlands and Islands is that principle of full and seamless progression fully accepted, although many HN students are admitted into the second or third year of degree courses in most post-1992 universities and in some pre-1992 universities. However, other pre-1992 universities HN students are typically allowed only limited, if any, credit for the years they have already studied in higher education, and often on strict conditions. As a result only small numbers of HN students are admitted by the institutions that enrol the majority of students in the Scottish university sector, although there are some honourable exceptions. The overall effect is that half of HN students who progress are only admitted to the first year - in effect, they have to start from the beginning - and more than three quarters of articulation is done by six universities (including UHI and the Open University). The SFC has indicated that 75 per cent of HN students who progress to degrees should receive full credit. To achieve even this, a step-change will be needed.

The current position is unacceptable for four reasons:

1. It has led to a sub-optimal use of public funding. Without this failure in articulation additional funded places could have been created without any additional cost, which might have helped to address some of the fears that the drive to recruit more SIMD20 students within a capped number of places might lead to other students being displaced;

2. It is unfair to progressing students. They are obliged to extend the time they take to pass through higher education, increasing the financial burden in terms of living expenses and income foregone. This is likely to increase drop-out, as well as delaying entry into the labour market;

3. The reluctance to give HN students fair credit tends to suggest that vocational qualifications are, in some key respects, inferior to academic qualifications. The clear implication is that HN students have a number of deficits that must be addressed before they can embark on full-blown degree-level education;

4. The great majority of HN students who progress to degrees being confined to post-1992 universities. In effect, although this may not be the intention, they are largely excluded from the universities with the greatest academic (and social) prestige, whose graduates have greater opportunities in the job market.

The challenge is how to get from where the system is now, which is clearly unacceptable, to where it should be, a default position in which all (not just some) universities admit the bulk of HN students with full-credit when they transfer onto a degree course (and this is recognised as the default position to which only a limited number of, fully justified, exceptions can be accepted). There are substantial obstacles to making this shift.

- One is to address the argument that HNs and degrees have radically different 'learning cultures'. These differences, where they exist, must be spelt out in detail subject-by-subject and courses-by course rather than continue to be described in general terms, often with a reference to different forms of assessment, although research has also highlighted that HN students have sometimes received more intensive support than would be normal in universities (this difference has sometimes been labelled, perhaps unfairly, 'spoon-feeding'). If the argument about different 'learning cultures' is not critically examined, HN students will continue to suffer discrimination by being given limited credit or being required to follow what are, in effect, bridging programmes. A more hopeful sign is that some universities are working with partner colleges to ensure that HNs contain elements in their curriculum that address some of these concerns about the transition difficulties that some HN students may face. The proposal to establish an Articulation Forum made in the US report on widening access could provide a place in which these various issues can be more systemically addressed and good practice shared. But any changes should not be allowed to compromise the value of HNs as free-standing higher education qualifications.

- The second is the risk that universities that admit small numbers of articulating students will admit even fewer students, despite the key recommendation on articulation in the US report on widening access. This recommendation was that every university should undertake a 'fundamental review' of its capacity to increase full-credit articulation by August 2018, which will necessarily involve partner colleges. The report asks universities to consider three issues: (i) how they increase the number of articulating students; (ii) how the proportion receiving full credit can be increased; and (iii) whether new articulation routes can be established in new subject areas. If this recommendation is taken seriously, it has the potential to produce the kind of step-change that is needed. Whether this can be achieved through voluntary effort remains to be seen. The alternative would be to establish institution-specific targets (i) based on an agreed uplift in their current number of articulating students; and (ii) increasing the proportion with full credit. This issue is addressed in a recommendation made in the final section of this report.

Other forms of articulation

The US report recognises that HN-to-degree is not the only form of articulation. It recommends that the proposed National Articulation Forum should consider other models of articulation using other qualifications such as Advanced Highers, apprenticeships and other forms of sub-degree provision. It is important that this work is not seen as a sideshow. The ambition should be not simply to ease progression between HNs and degrees but to create a flexible network of learner pathways worthy of a 21st-century tertiary education system (including higher education in colleges and universities).

New models of delivery

Considerable progress has already been made in the development of new kinds of higher education provision, notably modern and graduate apprenticeships. Although at present these new routes into and through higher education are relatively small-scale, they are certain to grow in importance. By 2030, the year in which the final target of 20 per cent of entrants coming from SIMD20 areas adopted by the Scottish Government is due to be achieved, the higher education landscape could look very different. It would also be a mistake to assume that these new forms of higher education will be concentrated in colleges and post-1992 universities, leaving elite universities relatively unaffected. Already some more research-intensive universities have developed graduate apprenticeship pathways. There is also evidence that graduate apprenticeships leading into high-pay jobs in elite professions could be attractive to high-flying students. The development of virtual learning platforms and packages exemplified by the growth of massive online open courses (MOOCs) will be another component of these more open and diverse higher education systems, although their current impact is still limited. Whatever shape this new higher education landscape takes, it will be more necessary than ever to create flexible pathways between different forms of provision.

"Whatever shape this new higher education landscape takes, it will be more necessary than ever to create flexible pathways between different forms of provision."

Schools and universities

More controversial is any suggestion of potential overlaps or redundancy between the last year of secondary education and first year of higher education, because this is seen as a threat to the four-year degree. Such fears can be dismissed: a four-year undergraduate degree is the international standard, and three-year degrees are exceptional. In the light of the explosion of scientific knowledge and increasing skill demands, as well as the multiple goals, social, cultural, economic and educational, universities have embraced, a four-year undergraduate degree cannot be regarded as excessive.

"In the light of the explosion of scientific knowledge and increasing skill demands, as well as the multiple goals, social, cultural, economic and educational, universities have embraced, a four-year undergraduate degree cannot be regarded as excessive."

However, this does not mean that Scotland can be totally exempt from the pressure to reduce course length in the interests of economy and efficiency. On several occasions in recent years the UK Government has launched initiatives to promote accelerated degrees in England, despite the shorter three-year undergraduate degree pattern south of the Border. In Germany, and several other European countries, one of the advantages of the Bologna process was that it opened the way to reduce average course lengths.

So it is important that good use is made of the current pattern of upper secondary and university education in Scotland. Over the last two generations that pattern has changed:

- First, the majority of Scottish secondary school students now stay on for a sixth year, and many take Advanced Higher, and enter higher education at the same age and with similar qualifications as their English and Welsh peers. Fewer than one-in-ten now enters higher education from S5, and just over one per cent are 17 or younger;

- Secondly, ordinary degrees have become relatively uncommon except as safety-net qualifications (and in some subjects such as nursing). Most Scottish university students are on honours degree courses, again a significant shift.

It is not clear these changes have been reflected as much as they should have been in rethinking the pattern of the first-year of undergraduate education. In Scotland, and the UK generally, there is much less focus on the first-year experience than in the United States. For example, there might be scope for treating bridging programmes, summer schools and the first-year as the initial preparatory stage of a university education within the context of a four-year degree. Being able to demonstrate that the four-year degree was more access friendly than a three-year degree would offer a convincing defence against future attack on the four-year degree.

"Being able to demonstrate that the four-year degree was more access friendly than a three-year degree would offer a convincing defence against future attack on the four-year degree."

As a result some students may be 'coasting' through S6, or not be sufficiently challenged in their first undergraduate year. In a minority of cases able students with Advanced Higher, and other evidence of academic maturity, might be able to enter university with some form of advanced standing. At present the numbers are tiny - only 1.4 per cent of S6 leavers with Advanced Highers are admitted straight into the second year. There must be scope for increasing that number without compromising the principle of a four-year degree. There may also be opportunities for co-delivery of some S6 and first-year courses, which would again ease the transition from school to university.

From the perspective of fair access this could have the advantage of freeing up additional funded places, as well as being a component of the more flexible system of learner pathways - in the same way that fuller articulation between HNs and degrees would (two places for HND students entering the third year of a degree programme could be funded for every one place for a four-year degree student who progressed without any credit after completing an HND). This would lead, not only to an efficiency gain, but would also increase the number of students who could be funded and reduce the risk of displacement.

CHAPTER 6: CONTEXTUAL ADMISSIONS

The use of contextual admissions by universities is perhaps the most powerful instrument available to promote fair access. Applicants with a range of characteristics, including coming from SIMD20 areas, have been given adjusted offers, which means they do not to have to achieve the advertised grades. Contextual admissions are used by all universities, but in particular by more selective universities that normally require high grades. Typically the adjusted offers made are complex with a number of variants for different courses - both with regard to the terms of the offers and also the process by which they are decided.

"It is misleading to suggest that contextual admissions and adjusted offers 'dumb down' standards. Standards are being maintained by taking into account a wider range of contextual factors."

It is worth emphasising that making different offers to different applicants is not a new practice; nor is it simply a means for recruiting students from disadvantaged backgrounds. Regardless of 'fair access', universities have always aimed to recruit the best students - in terms not simply of current levels of attainment but future potential. It has long been recognised that levels of (formal) attainment in terms of Highers (and other qualifications) have been influenced by a range of factors apart from the ability of individual students - including socioeconomic background; the type of school attended (and, in particular, the number of pupils going on to university); and parental or family experience of higher education. These other factors have always had to be taken into account in assessing future potential. It is misleading to suggest that contextual admissions and adjusted offers 'dumb down' standards. Standards are being maintained by taking into account a wider range of contextual factors.

Only with the very large increase in the number of students, which has made it difficult to make more personalised offers, have universities resorted to standardised offers for most applicants. This trend towards standardised offers has also been encouraged by the need for greater transparency. But contextual admissions and adjusted offers are not radical new devices to secure fair access; they are - or should be - good practice.

Implementing contextual admissions

A considerable amount of work has already been undertaken on contextual admissions. The Universities Scotland report on widening access that has already been discussed, recommended a four-point plan with regard to admissions:

1. The need for greater transparency and use of a consistent set of terms and definitions expressed in 'plain English'. This is urgently needed because the language currently used is least likely to be understood by those these policies are designed to benefit, and the same terms are used to describe different practices in different institutions;

2. All universities should use a common set of contextual indicators as standard - including residence in a SIMD20 area or care experience - but would be free to use additional indicators that specifically addressed local or regional needs, particular applicant characteristics or specific subject requirements. This adoption of 'primary' and 'secondary' indicators is a welcome advance on the current pattern of institution-specific indicators (although most institutions choose from a restricted range of predictable indicators, so it is not clear how much difference the US proposal would make in practice). The respective importance that would be attached to 'primary' and 'secondary' indicators is also not clear;

3. Universities should specify, and publish, minimum entry requirements for all courses. Given the number of courses offered by Scottish universities this represents a formidable administrative challenge. US has steered clear of the idea of 'access thresholds' proposed in the CoWA report and preferred the more familiar 'minimum entry requirements'. The major determinant of minimum entry requirements would be the 'best evidence' on the entry standards needed for successful completion. This raises the issue of how 'successful' completion is defined; completion rates have varied over time, and also vary between institutions, subjects and courses;

4. Universities should be free, as they now are, to make exceptions by making offers below these minimum entry requirements. These would be given to applicants who had experienced 'extreme hardship' or 'significant disruption' to their education. US recommends that all applicants from a care experience background should receive guaranteed offers, and that work should begin to identify other groups entitled to similar special consideration.

"if contextual admissions are to remain the main weapon in the arsenal of (in particular, more selective) universities in their efforts to move towards fairer access, more radical action is required."

A multi-volume report of large-scale research commissioned by the SFC, and undertaken by researchers at the University of Durham, has also recently been published (Boliver et al., 2017). The recommendations made in this report are similar to many of the recommendations made in the US report - for example, the need for more ambitious use of contextual admissions, for the use of more consistent indicators and the adoption of a common (and more comprehensible) nomenclature. But they are also more radical. For example, the authors recommend that the use to which indicators should be put should be made more transparent (so avoiding the 'black box' character of some current contextual admissions policies) and also that minimum entry requirements should be based on explicit probability rates of success. Two examples are offered - of the likely effects of an 80 per cent chance of progression from year one to two, and a 65 per cent chance of obtaining a first or two-one degree. Finally the report assesses which are the best indicators to use. It makes a useful distinction between indicators which carry minimal risk of incorrectly identifying an individual as disadvantaged when they are not (such as eligibility for free school meals), indicators that should be used with caution as they do carry such a risk (such as residence in a SIMD area) and indicators that should be avoided because consistent and robust data is difficult to obtain (such as parental occupation and education). However, the report focuses on the reliability of the indicators rather than their usefulness in indicating which groups face the greatest barriers to access.

The recommendations in the US report, if implemented, would represent a welcome advance. However, if contextual admissions are to remain the main weapon in the arsenal of (in particular, more selective) universities in their efforts to move towards fairer access, more radical action is required. Although it is important to improve the transparency and consistency of the terms used to describe contextual admission policies, as the Durham researchers make plain, it is even more important to improve the transparency and consistency of the admission processes themselves. Although it is an advance for applicants (and their parents and advisers) to understand more clearly which indicators will be taken into account in deciding eligibility for a reduced offer (or a 'minimum entry requirement' offer), there is still no clarity about how these indicators are used to inform how these offers are made - and, in particular, what level of entitlement they carry (a guaranteed place, an interview or merely - unspecified - consideration?).

Defining success

Another key issue, already flagged in the US report, is how is to define 'success'? It is natural that universities should adopt a cautious approach, especially at a time when non-completion (or delayed completion) is likely to lead to suggestions that public money is being wasted and when completion rates are a key indicator in league tables. It is also natural that Ministers should emphasise that fair access, to be real, must not be restricted to access to the first year but to a rewarding experience and successful outcome. But, if students from socioeconomic deprived backgrounds are to be expected to complete at almost the same rate, and achieve broadly similar degree outcomes as students from more advantaged backgrounds, this is likely to act as a significant brake on how far and how fast fair access can be achieved. There needs to be a grown-up debate about the right balance between providing opportunities and guaranteeing successful outcomes. An approach based on the probability of progression and successful degree outcomes is a good place to start. But two subsidiary issues are also raised:

- What level of support - academic, pastoral or financial - is it reasonable to expect universities to provide to ensure that all students - and especially students from disadvantaged backgrounds - have a reasonable prospect of success? This may be a particular issue for universities with limited experience of addressing the needs of such students, although the same universities already have the largest deficits in terms of equitable access and offer their graduates disproportionate shares of human capital in terms of entry to elite social positions. They appear to have less difficulty in making the necessary adjustments, and offering the required support, in the case of international students. However, although student support is vital, it is important not to label students into 'standard' and 'non-standard' groups, which could have the effect of stigmatising students from more deprived backgrounds.

"Just as the wider use of contextual admissions raises important questions about how we define entry 'standards', so it should open up similar questions about how 'outcomes' are defined. That necessary debate should not be stifled by fears of being accused of 'dumbing down'."

- Should 'success' continue to be defined largely in terms of institutional self-perceptions and perhaps over-restrictive disciplinary requirements, and also official and unofficial performance indicators, or need more attention be paid to how it is defined and experienced by students? Students, of course, value good teaching and successful outcomes in terms of degree classifications. But they may also find institutional definitions of progression and completion over-rigid at times. There is a need for more flexible learner pathways, and also study patterns (which operate on 'student time' as well as 'institution time'), as efforts to improve articulation suggest. That need is likely to increase as new patterns of higher education, including degree apprenticeships, develop. It is also unhelpful to take as a benchmark existing patterns of progression and (successful) outcomes, rather than adopting a bolder, risk-based, approach as suggested in the Durham researchers' report to the SFC. Scotland, and the UK as a whole, has very low levels of wastage by international standards. Just as the wider use of contextual admissions raises important questions about how we define entry 'standards', so it should open up similar questions about how 'outcomes' are defined. That necessary debate should not be stifled by fears of being accused of 'dumbing down'.

CHAPTER 7: TARGETING DISADVANTAGE AND UNDER-REPRESENTATION

SIMD and other metrics

SIMD is a comparatively sophisticated and fine-grain measure. It takes into account a basket of measures relating to deprivation, and the median population in the 6,000 to 7,000 datazone areas ranked to produce the SIMD is around 760. In contrast POLAR, the UK-wide categorisation of geographical areas on which English widening participation efforts largely rely, covers larger populations and covers one element of deprivation, low participation (although distinguished between different age groups and populations), which in one sense is circular. An area based focus on concentrations of deprivation is important because, if the cycle of deprivation is to be broken, it is important to address it on a community basis by taking into account 'multiple' factors (as the title of the measure indicates). Focusing on individuals whose parents' occupation puts them in a lower socioeconomic class (4-7), which it has been argued would be a better measure (and is available on a consistent UK-wide basis), would not have this effect. Individuals also experience forms of disadvantage that do not arise from socioeconomic deprivation, which can be addressed in others ways. The choice between SIMD and the alternative, the use of individual-level data, therefore, is not simply a technical one. It shifts the focus from socioeconomic deprivation to individual disadvantage.

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In any case the individual-level data that would be needed is incomplete, as well its use being constrained by data protection requirements. While some is available on a consistent basis, other key individual-level data either depends on self-reporting, which raises questions about its accuracy as well as consistency (e.g. the socioeconomic class data discussed above), or is not available at the time when key admissions decisions have to be taken. Although complete, accurate and timely individual-level data would be useful alongside SIMD data, its creation - and, crucially, its accessibility and reliability - presents significant challenges.

However, there has been considerable criticism of the use of SIMD as the main measure of fair access (Weedon, 2014). Like all area based metrics SIMD has limitations when it is used to measure the progress of individuals. For example, the supporting documentation for SIMD states that around one in three people living in the 15 per cent most deprived areas are income deprived (Scottish Government, 2016) which reflects both the fact that SIMD captures a range of factors, not just income, and the fact that SIMD is an area based measure. As a result, by focusing on SIMD20 recruitment to meet the Scottish Government's targets, institutions are likely to include some entrants who are not socioeconomically deprived while excluding poor students from other areas whose needs are just as great. This is particularly a problem in more thinly populated rural areas, especially in the Highlands and Islands, the Borders and parts of the North East. There are no SIMD20 areas in Shetland. But there are significant differences even within the Central Belt. In general terms, SIMD is most accurate in the highly urbanised (and socially stratified) parts of Greater Glasgow and the west of Scotland.

Most universities use a basket of indicators in deciding which applicants should receive adjusted offers. As has already been said, the US report on widening access recommends there should

be greater consistency across institutions in their choice and use of these indicators by dividing them into 'core' and 'institution-specific'. This recommendation accepts the need for consistent and comparable data, to ensure that applicants are treated fairly across universities and that progress can be measured. This greater consistency (and transparency) of institutional indicators and the development of better individual-level data on deprivation, combined with the continuing use of SIMD as the primary measure for the purposes of institutional and national targets, opens up the possibility of a more balanced package of measures.

Other forms of disadvantage

Socioeconomic deprivation remains the most significant and intractable form of disadvantage. Too often there has been a reluctance to admit the importance of social class, and to focus on other forms of discrimination such as age, gender and ethnicity. The Scottish Government is also right to focus on the need to break the cycle of inter-generational deprivation, which justifies its emphasis on young adults.

However, socioeconomic deprivation - more bluntly, class - is not the only significant form of disadvantage. The particular needs of students with some form of care experience has already been highlighted by the Government. Although the proportion of Black, Asian and minority ethnic (BAME) people in the Scottish population is less overall than in England, there are still substantial numbers particularly in Glasgow, Edinburgh and other cities. Although the overall representation of BAME people in universities broadly reflects the composition of Scotland's population, there are significant variations with 'over-representation' in medicine, engineering, business and computer science and 'under-representation' in some of the traditional humanities (but also education). There are also gender imbalances, not so much in terms of aggregate student numbers but in the distribution of women and men between different subjects. These imbalances are being addressed through gender and equality action plans. It is also likely that disabled students and others with protected characteristics continue to face significant barriers to access. Institutions have a range of legal duties to make reasonable adjustments to meet the needs of these students once they have been admitted. However, these formal responsibilities do not always address the potential disincentives experienced by disabled applicants. There is clearly a risk that colleges and universities will adopt a fragmented approach to addressing all these forms of disadvantage, including socioeconomic deprivation. Fair access needs to be advanced on a broad front, with care taken to coordinate targets, action plans and legal duties.

"It is also necessary to recognise the needs of adults"

Adult learners

It is also necessary to recognise the needs of adults who, for whatever reason, have suffered educational disadvantage. Although the Government's target is for all first-degree students, regardless of age, there is a strong perception that the main target group is young entrants. The Government should address what is almost certainly a misperception, for three reasons:

- First, many adult returners are not so different from young entrants. The average age of Open University students in Scotland is less than 30. It is common for younger adults who have had a less-than-satisfactory school experience to take a little time to recognise the benefits of higher education;

- Secondly, parents play a key role in shaping the ambitions of their children. If, despite experiencing disadvantage in their own experience of school education, parents see that second chances are available to them, they are much more likely to motivate their children - which is

likely to reduce the attainment gap in schools and stimulate demand for higher education in more deprived communities;

- Finally, there is the issue of inter-generational justice. Bad as the current imbalance in higher education participation between the most and the least deprived is, it was worse in earlier generations. The Government's recent decision to rescind its guidance to colleges to prioritise the needs of full-time learners, which led to a sharp decline in the number of part-time students, is a positive move towards recognising the needs of part-time learners, many of whom are adults.

CHAPTER 8: BUILDING PRACTITIONER AND RESEARCH COMMUNITIES

There is no lack of commitment to, and expertise in, fair access in Scotland. A substantial body of enthusiastic and experienced practitioners exists, in both institutions and the Funding Council. Most institutional practitioners naturally operate mainly in the context of their institutional responsibilities, although they have formed lively networks. In addition there is a critical mass of researchers in fair access, some in education and other departments in universities and some better described as practitioner researchers. Although there have been substantial pieces of work funded by public bodies such as the Economic and Social Research Council and foundations such as the Sutton Trust, there is also a wide array of smaller-scale research that often arises from evaluation of institutional initiatives. Finally, there are many other interested parties - well-informed bloggers, specialist journalists, civil servants who work on access issues (and supported the work of the Commission on Widening Access) and MSPs and other public figures who have become expert in fair access issues.

It would help if there was a clearer national focus. The group established to develop a Framework for Fair Access, which is expected to make an initial report in the spring, is likely to recommend that a community of practice should be developed to link together institutional practitioners and allow good practice to be shared more easily. Such a community would both be a virtual resource but also help to organise meetings and seminars.

There is a strong case for establishing a similar community of researchers on fair access. This could bring together senior academics, junior researchers and PhD students with practitioner researchers, and act as a forum for the exchange of findings and views (as will be the case with the community of practice). It could also help to develop a framework for the synthesis of smaller-scale studies based on institution-level data and qualitative studies (often evaluations of institutional initiatives). It could sponsor seminars and conferences, and help to disseminate research findings to journalists and politicians in accessible forms. Such a community of researchers would need to work closely with the proposed community of practice to be recommended by the Framework for Fair Access group, and also with access researchers in England and Wales, in Europe generally and across the world.

RECOMMENDATIONS

In this final section a number of specific recommendations are made for the Scottish Government, the Scottish Funding Council and universities.

Prioritising and measuring progress

There is a need for greater clarity about fair access targets for universities and fair access targets for higher education as a whole. Currently the 2030 target is for the latter, and the 2021 and 2026 interim targets for the former (with a 10 per cent minimum target for SIMD20 recruitment for individual universities). Although these targets in themselves are clear, they may send mixed messages about the primary task. Is the priority to increase SIMD20 participation in higher education, i.e. including colleges, or is it to increase SIMD20 participation in universities, perhaps with a particular emphasis on access to the ancient universities? At present targets cover both, although in terms of political and public debate, the emphasis often seems to be on the second. Striking the right balance is not easy. While it is important to ensure that all young people in Scotland have the opportunity to attend Scotland's leading universities, it is also important to maintain a diversity of provision and, in particular, not to downgrade the contribution of colleges and of vocational education.

Recommendation 1: The Scottish Government should take every opportunity to clarify the different agendas arising from the wider goal of fair access to higher education as a whole and the narrower goal of fair access to universities. It should make clear its view on their relative priority for the next four years in the lead up to delivery of the first CoWA targets.

Recommendation 2: In advance of reviewing institutional targets in 2022, as recommended by the Commission on Widening Access, the Scottish Government should encourage the widest possible national debate on this issue, in partnership with colleges and universities and other stakeholders.

Confusion and potential controversy can be created by the lack of up-to-date figures about the proportion of SIMD20 entrants to individual institutions, which can make progress difficult to measure. A recent example is the different figures given by the former First Minister (4.5 per cent) and by his alma mater, the University of St Andrews (7.2 per cent), the former based on the latest published data and the latter on the institution's own, more up-to-date, internal information.

Recommendation 3: The SFC and Scottish Government should work with the Higher Education Statistics Agency (HESA) to ensure the data required to report on the proportion of SIMD20 entrants (i.e. entrant domicile and home postcode) is prioritised within the HESA 'Data Futures' project, so that more timely data can be made available to measure progress towards meeting fair access targets.

Funding Higher Education

As a result of free tuition (for Scottish domiciled and other-European Union students) the total number of students in these categories is necessarily capped. Although the extent to which the total number of other students (from the rest of the UK and outside the EU), and in a fee-based system such as in England, is truly unrestricted may be exaggerated, the fixed cap inevitably raises concerns that the drive to recruit SIMD20 students may reduce opportunities for other students. This fear of displacement, highlighted by Audit Scotland, tends to erode support for fair access. More generally widening access when overall student numbers are increasing creates fewer dilemmas. For these reasons, it has been argued the Government should provide more funded places. On the other hand the Government has to weigh up competing demands for public expenditure. So there is no easy answer.

Recommendation 4: The Scottish Government should consider whether the total number of funded places in Scottish higher education needs to be increased in order to ensure that overall demand, from applicants from all social backgrounds, is met while maintaining the momentum towards fair access.

Recommendation 5: It should undertake to retain within the higher education budget any savings produced by any overall reduction in demand as a result of demography; the removal of other-EU students from the total of funded places after the UK leaves the EU (however undesirable Brexit may be); and any increase in efficiency produced by 'smarter' articulation (between HNs and degrees but also between S6 and first-year higher education).

The temptation to ring-fence any additional funded places for specific purposes, including the recruitment of SIMD20 students, is strong because it tends to produce 'quick wins'. The disadvantage is that when this ring-fencing comes to end, momentum may be lost because these activities have not been fully absorbed into the mainstream of the mission of all institutions. Although there is almost no evidence of a lack of commitment to fair access across Scottish higher education, the influence of countervailing forces on research intensive and high-tariff universities in particular has to be acknowledged.

Recommendation 6: If additional funded places are made available by the Scottish Government, only a proportion of them should be ring-fenced to support fair access. Institutions should be free to use a proportion in ways they determine, in the hope that this will ease fears of displacement and also in the hope that fair access will be accepted as a mainstream goal by all. If no additional places are provided, there will be no alternative to setting new targets beyond the existing access places.

Recommendation 7: Progress towards fair access targets should continue to be monitored by the SFC, not only with regard to the use of the proportion of any additional places ring-fenced but with regard to all the student places it funds.

Flexible Learner Pathways

Scotland has the potential to develop a comprehensive tertiary education system, from traditional study patterns in the ancient universities through to work-based learning. Key to success is the reduction of unjustified barriers and the creation of flexible learner pathways. The Learner Journey initiative could make a valuable contribution to the development of a tertiary education system. Also this initiative, although not specifically focused on fair access, has important implications for promoting fair access.

Recommendation 8: In taking the Review of the 15-24 Learner Journey forward, the Scottish Government should make clear how implementation will support fair access to higher education, as well as the range of education, training and employment opportunities available to young people. In particular it should focus on the development of flexible pathways between these various routes into higher education.

The merger of two separate Funding Councils (for higher education and for further education) into the SFC in 2005 opened up the possibility of creating a truly tertiary system of post-school education in Scotland. This cannot be achieved under the regulatory, governance and funding arrangements that exist in England. It is not criticism of present and past SFC board (and committee) members and senior officers to say that this possibility has not been realised. Other obstacles have stood in the way, including the provision of two separate systems of student financial support which is only now being addressed. The two-tier governance structure in colleges, with regional boards and individual college boards, may also complicate the realisation of a tertiary system. However, a properly integrated tertiary education system would lead to significant gains - for example, more seamless progression between further and higher education, and improved articulation between colleges and universities in higher education. These benefits have been demonstrated, in microcosm, by the University of the Highlands and Islands. Although not directly relevant to fair access, it is likely that more seamless progression and better articulation would make it easier for young people living in SIMD20 areas to gain access to higher education. The SFC has taken important initiatives in the past, for example the establishment of articulation hubs. But more can be done.

Recommendation 9: The SFC should aim to encourage seamless progression from further to higher education in colleges, and also work towards removing unnecessary differences in its funding and accountability systems for colleges and universities with regard to higher education provision. This need not involve far-reaching governance reforms, nor imply significant shifts in current funding patterns. The goal should be to produce a properly integrated and articulated tertiary education system across Scotland.

The Role of the Scottish Funding Council

The SFC, largely for reasons that does it credit, has been reluctant to use to the full the regulatory and other powers that it has been given. There is probably scope to make greater use of these powers - for example, to give directions to institutions - without undermining the freedom of all institutions to develop their own strategies in the light of the particular challenges and opportunities they face (and, in particular, the autonomy of universities which is a key principle in an open and democratic society). The SFC could play a more proactive role in shaping a national strategy for further and higher education in Scotland, within the broad policy priorities determined by the Government and paying due attention to the ambitions of individual institutions. Its value, and

continuation, as a buffer body between Government and higher education may depend on its ability to assert this key role. The work undertaken with regard to access and inclusion is an example of how the Council can help shape the agenda and not remain largely reactive, although this has owed a great deal to the commitment and participation of institutional practitioners.

Recommendation 10: The SFC should take a stronger lead and have a clearer voice in debates about the future of higher (and further) education in Scotland. It should consider making more, and smarter, use of the powers it has been granted, acting as a bridge between high-level priorities established by the Government and the strategic goals of individual institutions. Fair access is a key area in which national coordination of institutional strategies and activities would be beneficial, below the level at which it is reasonable (or appropriate) to expect the Government to operate.

Outcome agreements between SFC and institutions are a useful instrument for agreeing their overall strategic direction in a comprehensive, holistic and joined-up manner, although there is some doubt about how robustly the SFC interrogates institutional priorities and objectives in the negotiations leading up to the agreements. In this respect they are a model within the UK. However, they are less well designed for shaping and monitoring progress in specific areas, including towards meeting fair access targets. This takes place through a range of subsidiary instruments - for example, the SFC's annual review of progress on widening access. In addition the SFC now produces Equality and Human Rights Impact Assessments (EHRIA) of its policies, and institutions are required to produce Gender Action Plans. It is not always clear how these more detailed assessments and action plans relate to, and are coordinated with, high-level outcome agreements. It has also been argued that access agreements 'lack teeth', in the sense that it is not always clear what consequences flow from failure to meet agreed goals. In its latest guidance to the SFC the Government has emphasised the need to 'intensify' the use of outcome agreements.

Recommendation 11: The SFC should review its use of outcome agreements - ensuring that it offers a robust challenge to institutions in negotiating agreed goals and that outcome agreement and more detailed agreements and action plans (in areas such as fair access) are better integrated; and also that there is greater clarity about what sanctions it would be appropriate to impose when targets are not met. Consideration should be given to imposing penalties for non-delivery, not simply in relation to ring-fenced funding initiatives but to funding allocations more generally.

Outreach and Bridging Programmes

Universities already offer a wide range of outreach and bridging programmes. The pattern is currently one of institution-specific and bottom-up initiatives, with limited regional or national coordination through organisations such as SHEP. In some respects this organic growth of local initiatives has been healthy, because it demonstrates the commitment of individual institutions and the enthusiasm of institutional practitioners. These initiatives are also varied, ranging from outreach programmes in schools and communities to summer schools, and other forms of bridging programmes, that directly address perceived deficits in preparation for university study among disadvantaged applicants. But, as has already been argued, it also has a number of weaknesses in addition to the lack of sufficient national coordination. Some are focused too narrowly on meeting institutional targets for recruiting SIMD20 (and other disadvantaged) applicants without regard for the wider picture.

Recommendation 12: Universities should consider the designation of a common core for all summer schools and other bridging programmes across Scotland, based on identifying those elements that already appear in all or most programmes. Some of these elements clearly would need to be subject specific, and there should also be scope for institutions to customise some elements based on their particular needs. Greater commonality would produce greater consistency, making the content of these programmes more transparent to learners (and their advisers) and also making them more transferable. It would also make it easier to increase the scale of provision, which is clearly necessary.

Recommendation 13: Universities and Universities Scotland should work with the Scottish Credit and Qualifications Framework (SCQF) and the Framework Development Group to develop an authoritative typology of bridging and outreach programmes and an easily accessible web-based database of courses. This should align to the evidence and best practice published in the Scottish Toolkit for Fair Access.

A new social covenant

Measures to achieve fair access are only one element in the wider links between universities and their communities, regions and nation. Others include the education of future teachers, who can play a direct role in changing attitudes to higher education in more deprived areas, and continuing education and lifelong learning programmes, which have the potential to empower whole communities, but also cultural activities and research projects with a strong community focus, which can send powerful signals about openness and inclusion. It is important to take a holistic view, rather than having separate access, continuing education, engagement and other strategies.

Recommendation 14: Universities should consider developing a new 'social covenant' that brings together all activities that reflect their wider social responsibilities - within their local communities, wider regions and Scotland as a whole (and, indeed, on European and international levels). Fair access initiatives should be firmly embedded within these new covenants.

Articulation

Scotland's record on articulation, mostly but not exclusively from HNs to degrees, is patchy - there are examples of good practice where all, or most, HN students are given the option of entering with advanced standing; but there are also examples of little credit being given. Some of the reasons for this have been discussed earlier in this report. They include the prominent role played by colleges in the delivery of higher education, and their reluctance to accept a subordinate role to the universities by being labelled 'feeder' institutions (and HNs being denied their value as free-standing vocational qualifications), and also the greater preponderance of pre-1992 universities in the university sector. Although not all articulating students come from disadvantaged backgrounds, learners from SIMD20 areas are overrepresented among articulating students, and students taking this route are more likely to be from SIMD20 areas than students coming directly from school. Consequently this comparative failure needs to be urgently addressed - not simply because students should not have unnecessary obstacles to their progression placed in their way and because it represents poor use of public investment and limits the number of funded places;

but also because a 21st-century tertiary education system should be designed with the needs of learners rather than the interests of institutions in mind, and because new modes of delivery, new types of programmes and even brand-new courses and qualifications are being developed that place an even higher premium on flexible pathways.

Recommendation 15: Universities should commit to substantially increasing the proportion of transferring HN students admitted with full credit (to at least the 75 per cent benchmark identified by the SFC), and all HND students, without exception, should be allowed to transfer into Year 2. If individual students are not given, or specific courses do not grant, full credit, the reasons should be specified, and fully justified, along with an action plan to remedy these perceived deficits in preparation.

Recommendation 16: Universities should commit to substantially increasing the number of transferring HN students they admit, and offering necessary support. In the case of universities with insufficient HN applicants to support such an expansion, active measures should be taken by establishing stronger links with local colleges to increase the supply. If voluntary action by universities is inadequate, the SFC should consider introducing institutional targets for articulation, enforced through outcome agreements.

Other forms of articulation

The four-year undergraduate degree should provide Scottish universities with greater scope to remedy shortcomings in preparation for university-level study, compared with the three-year degree standard in England and Wales. This is especially the case because most secondary school students stay on for a sixth year and many take Advanced Highers, which means that they match the academic level reached by A-level students in other parts of the UK. There is a limited evidence to suggest that good use is being made of the extra year. If the principle of a four-year undergraduate degree is to be preserved in the face of pressure for improved efficiency and rationalisation of the learner journey, universities need to build a stronger case for its continued importance despite changed circumstances.

Recommendation 17: Universities should make more imaginative use of the first year of undergraduate education, by paying more explicit attention to the learning needs arising from transition from school to university. This would benefit all students (even those with excellent entry grades).

More explicit use of the first year as a foundation year, a common practice in the United States, could also have a number of other advantages:

- **Some of the curriculum that is currently offered in summer schools could be incorporated;**
- **The perceived educational deficits of some HN students could also be addressed by incorporating 'enhancement' elements that are currently included in some HNs;**
- **The choice of Highers made during secondary education, which is generally regarded as an important reason why disadvantaged students with more limited access to sound advice have more limited access to universities, would become less crucial.**

Recommendation 18: Universities should substantially increase the proportion of well qualified S6 leavers with Advanced Highers admitted into Year 2 - to reduce any possibility of 'coasting' and to reduce repetition of the curriculum; and also to increase efficiency and generate more funded places within the existing budget.

Contextual Admissions

Contextual admissions, based on making adjusted offers to individual applicants and allowing minimum entry requirements (or, in the words of the Commission on Widening Access, Access thresholds) to be identified, are the most powerful tool for achieving fairer access to higher education. All universities have acquired considerable experience in making contextual offers, and impressive progress has been made. However, more progress is needed. Greater consistency is needed to make contextual admissions more transparent to applicants - for example, which indicators are used (and which are most reliable); how these indicators are used (offering consideration or guaranteeing places, or some intermediate position); and what conditions are attached to adjusted offers (in particular, whether successful completion of a summer school is required). A recent Sutton Trust report has concluded that most universities (across the UK) provide only limited information about contextual admissions (Sutton Trust, 2017). The research evidence suggests that bolder use can be made of contextual admissions. The same report shows that reducing entry standards by just two grades would lead to a 50 per cent increase in the number of applicants who had been eligible for free school meals in top universities.

Recommendation 19: Universities, as recommended in the recent US report, should agree a common language to describe contextual admissions, and identify a set of common indicators to be used by all universities. The use of institution specific indicators should be the exception, not the norm.

Recommendation 20: Universities should publish a detailed guide to their contextual admissions processes and practices in as accessible a form as possible to ensure full transparency. This should include a list of indicators, common and specific, and an explanation of what the presence of each indicator means for applicants in terms of the actual offer they will receive.

Recommendation 21: Universities should make much bolder use of adjusted offers, by explicitly identifying acceptable risks of non-progression and failure to achieve good degree outcomes rather than merely tolerating limited variations from historical patterns.

Defining Success

Ministers have been very clear that SIMD20 students admitted to higher education, and in particular to universities, should be properly supported so that they can progress at a similar rate to students from more advantaged backgrounds and also benefit from broadly similar outcomes (although subsequent employment prospects are influenced by other factors apart from academic outcomes). This aim should be supported, while recognising that over-rigid adherence to current continuation rates and outcome patterns may act as a brake to SIMD20 recruitment and may not always reflect the financial and family circumstances of a more diverse student population.

Similar considerations apply to part-time and adult education regardless of their socioeconomic backgrounds.

Recommendation 22: The Scottish Government should encourage a wide debate about definitions of 'standards' and 'success' (as measured by the continuation rates and degree outcomes typical of traditional students) without fear of ill-informed accusations of ''dumbing down'. In the case of formal indicators an acceptable degree of risk should be defined to identify minimum thresholds for success. It should work with institutions to ensure that - as far as possible - students who 'stop out' are not forced to 'drop out' by over-rigid definitions of progression.

Adult Learners

Current targets are for first-degree entrants to higher education, although the primary target group is generally assumed to be school-leavers and other young adults from SIMD20 areas. But it is important not to disadvantage older learners who may have been denied the opportunity to enter higher education when they were young - and are also likely to be the parents, or other relatives, of disadvantaged young people who are covered by these targets. An all-ages, as well as community based, approach is needed to break the cycle of deprivation. Institutions may be, unintentionally, discouraged from recruiting potential students in their mid- and late-20s because they have concentrated on the main target group, SIMD20 school-leavers.

Recommendation 23: The Scottish Government should make it clear that the Government's targets are for all first-degree entrants, regardless of age, despite the focus on breaking the cycle of deprivation for young adults. It should ensure that the needs of adult students from similar backgrounds are given the same priority as school-leavers.

CONCLUSION: EVOLUTION OR STEP-CHANGE?

Fair access is a human right as well as an economic necessity. To be able fully to participate as a citizen some (substantial) experience of education beyond school is needed, although this can well take place in a workplace context. All democratic societies face complex challenges - of national identity (and global citizenship), of community engagement, of social justice and solidarity, of creativity in terms both of culture and innovation - as well as of sustainable economic growth. All citizens therefore have a right to the educational tools that enable them to understand and make a contribution to meeting these challenges.

There are two approaches to advancing the cause of fair access. The first is an evolutionary approach, based on achieving slow but steady progress. Another adjective - 'attritional' - also comes to mind to describe this approach. Sometimes the policies required to advance towards fair access may appear to be in conflict with other key goals to which (all) universities incline - for example, the recruitment of the 'best' students (as a mark of institutional reputation), higher levels of efficiency (as measured by completion rates and degree outcomes) and excellence in research (as measured by REF, the Research Excellence Framework). It is not unfair to characterise the fair access efforts of many Scottish universities in evolutionary terms. In this first approach the tools are familiar - more substantial investment in bridging programmes (whether outreach programmes in schools, or in communities, or summer schools); more vigorous use of contextual admissions; and more generous, although still discretionary, allowances of advanced standing to articulating students. The first two tools directly address fair access; the third addresses it indirectly.

"Fair access is a human right as well as an economic necessity."

The second approach is more radical. It is based on the belief that a step-change is needed to secure truly fair access, initially for SIMD20 students as set out in the Government's targets but eventually for all disadvantaged groups. Part-time students, adult learners and applicants with disabilities all currently face obstacles, although some of these can be removed more easily than deep-rooted socioeconomic deprivation. In this second approach, less familiar tools may be needed. Institutional priorities may need to be rebalanced, so that meeting fair access targets carries the same weight as improved REF performance. Institutional autonomy may need to be pooled, because guaranteed progression pathways between institutions will have to be established within a wider tertiary education system, which Scotland is well placed to create. Current and conventional definitions of success may need to be rethought, to make them more learner-centred and less institution-centred. Such tools clearly require more fundamental changes in institutional behaviour and values.

Which approach should be taken? On the basis of current national data it is likely that system-wide targets can be met by an essentially evolutionary approach, although it may be a stretch (in particular for the 2021 targets; the 2030 target may still be sufficiently distant to offer - illusionary - comfort). There is no lack of goodwill, at the level of nearly all institutional leaders, and enthusiasm, among access practitioners and admissions staff. There is also no lack of creative and innovative ideas about new ways to achieve fair access. Even without the goad of politically mandated targets there is a strong commitment to widening access in Scottish higher education.

However, meeting institutional targets may require the second - more radical or step-change - approach. Some institutions - colleges and (most) post-1992 universities - have made good progress towards meeting their fair access targets or even exceeded them, although as has already been indicated this success carries the risk of a loss of momentum. Fair access is already

at the heart of their institutional missions, and it is often essential in terms of their recruitment (and 'business') strategies. Other institutions - in particular, some of the ancient universities - still have much further to go. Fair access is often more peripheral to their core missions, and meeting access targets may be (or perceived to be) in sharper conflict with achieving other, arguably more fundamental, goals. However, there are risks in adopting too categorical a distinction. There are examples of research intensive and high-tariff universities that have embraced - and, crucially, internalised - fair access, just as there are examples of more teaching focused and lower-tariff universities with less impressive records of progress.

The choice between evolutionary and step-change approaches to fair access, therefore, is too stark. But the scale of the challenge cannot be underestimated. It may even transcend the immediate targets set by the Government. How is it possible to achieve fair access - and fair experiences and fair outcomes - within a tertiary and, in particular, higher education system to which access is rationed? In the middle of the last century universal access to secondary education was achieved. In most countries, including Scotland (with a few exceptions), secondary education is now delivered through comprehensive schools to which all young people have access regardless of their ability. Yet inequalities, in terms of attainment, examination success and progression to higher education, remain - even within this universal system organised along comprehensive lines. These inequalities remain strongly correlated to social class, although other forms of disadvantage are also significant. In a higher education system that, despite decades of expansion, is designed not to meet the needs of all but only those of barely more than half the relevant population, these inequalities will inevitably be even more difficult to eradicate. Regarded in this light the achievement of truly fair access requires a step-change, a revolution in practices, priorities and mind-sets.

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"The battle for fair access will not be won if colleges and universities see it mainly in terms of meeting externally imposed targets, any more than better school examination results produce better education."

Even if an evolutionary approach that does not require such a revolution allows current targets to be met, this may not be enough. The battle for fair access will not be won if colleges and universities see it mainly in terms of meeting externally imposed targets, any more than better school examination results produce better education. Both, meeting targets and higher attainment levels, are necessary but not sufficient conditions. Fair access will be secure only when it is not only the Government's goal but also the ambition of the whole sector.

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